

Also, petition of citizens of Pitcher, N. Y., for passage of House bill 14, providing for a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of Cigar Makers' Joint Union of Greater New York, for enactment of House bill 17253; to the Committee on Ways and Means.

Also, memorials of the Maritime Association of the port of New York and Chamber of Commerce of the State of New York, for establishing marine schools; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Mercantile Economist Publishing Co., of New York City, for amending the patent laws; to the Committee on Patents.

Also, petition of H. E. Wills, joint national legislative representative, Brotherhood of Locomotive Engineers, Order Railway Conductors, and Brotherhood of Railway Trainmen, for enactment of Senate bill 5382 and House bill 20487; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Central Foundry Co., of New York City, for enactment of House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petition of Maurice Simmons, commander in chief of the United Spanish War Veterans, for enactment of House bill 17470; to the Committee on Pensions.

By Mr. NYE: Petition of citizens of Minneapolis, Minn., for enactment of the Esch phosphorus bill; to the Committee on Ways and Means.

Also, petition of citizens of Minneapolis, Minn., for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of citizens of Minneapolis, Minn., for passage of the Berger old-age pension bill; to the Committee on Pensions.

By Mr. TILSON: Petition of Mad River Grange, No. 71, Waterbury, Conn., favoring a general parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Hartford and New Haven, Conn., in favor of building one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, memorial of Wapping Grange, No. 30, Patrons of Husbandry, against legislation that will allow the coloring of oleomargarine; to the Committee on Agriculture.

Also, petition of Wapping Grange, No. 30, Patrons of Husbandry, favoring a general parcel post; to the Committee on the Post Office and Post Roads.

By Mr. WHITACRE: Petition of Grange No. 1784, Patrons of Husbandry, for parcel-post legislation, etc.; to the Committee on the Post Office and Post Roads.

By Mr. WOOD of New Jersey: Petition of Local Union No. 88, A. F. G. W. U., of Flemington, N. J., urging an investigation of the dismissal of the case of W. J. Burns, accused of kidnapping, by Federal Judge A. B. Anderson; to the Committee on the Judiciary.

Also, memorial of the consistory of the Reformed Church of Harlingen, N. J., urging passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

SENATE.

TUESDAY, March 26, 1912.

(Continuation of legislative day of Monday, March 25, 1912.)

The Senate met, after the expiration of the recess, at 1 o'clock and 45 minutes p. m., Tuesday, March 26, 1912.

SENATOR FROM WISCONSIN.

The Senate resumed the consideration of the report of the Committee on Privileges and Elections, directed by a resolution of the Senate to investigate certain charges against ISAAC STEPHENSON, a Senator from the State of Wisconsin.

Mr. ROOT obtained the floor.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. ROOT. I do.

Mr. LODGE. I make the point that there is no quorum present.

The PRESIDENT pro tempore. The Senator from Massachusetts suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Brown	Clapp	Curtis
Borah	Bryan	Crane	Fletcher
Bourne	Burnham	Crawford	Gamble
Brandegee	Burton	Cullom	Gardner
Bristow	Chamberlain	Cummins	Heyburn

Hitchcock	Lorimer	Rayner	Sutherland
Johnson, Me.	McLean	Richardson	Townsend
Johnston, Ala.	Martine, N. J.	Root	Warren
Kenyon	Myers	Simmons	Watson
Kern	Nixon	Smith, Ga.	Wetmore
Lea	O'Gorman	Smoot	Works
Lippitt	Overman	Stephenson	
Lodge	Perkins	Stone	

Mr. BURNHAM. I desire to state that my colleague [Mr. GALLINGER] is necessarily absent from the city.

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH] is out of the city on business of the Senate.

Mr. CURTIS. I have been requested to announce the absence of the junior Senator from Vermont [Mr. PAGE]. He is out of the city under the order of the Senate. I make this announcement for the day.

The PRESIDENT pro tempore. Fifty Senators have responded to their names. A quorum of the Senate is present.

Mr. SIMMONS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from North Carolina?

Mr. ROOT. I do.

Mr. SIMMONS. I ask the indulgence of the Senate to present some proposed amendments to the river and harbor bill.

The PRESIDENT pro tempore. In the opinion of the Chair the amendments are not in order at this time, under the unanimous-consent agreement.

Mr. HEYBURN. I ask if anything is in order until the unanimous-consent agreement has been disposed of?

The PRESIDENT pro tempore. In the opinion of the Chair nothing is in order except it be a point of order.

Mr. WORKS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from California?

Mr. ROOT. Certainly.

Mr. SIMMONS. I should like to inquire if it is not in order if a point of order is not made? In that case, would it not be in order to present the proposed amendments?

The PRESIDENT pro tempore. In the opinion of the Chair it would not be in order, because it would violate the unanimous-consent agreement under which the Senate is acting.

Mr. WORKS. In order that the issue in this case, as I see it, may be more clearly and sharply defined, I now offer the following resolution as a substitute for the resolution offered by the Senator from Idaho [Mr. HEYBURN] and ask that it be read.

The PRESIDENT pro tempore. The Chair understands that the Senator from California submits his resolution and gives notice that he will offer it as a substitute at the proper time.

Mr. WORKS. I am offering it now.

The PRESIDENT pro tempore. One amendment in the nature of a substitute is already pending.

Mr. WORKS. I understand that the other amendment was presented to be offered subsequently. Am I mistaken with respect to that matter?

The PRESIDENT pro tempore. The Chair is informed, without having the record before him, that it was offered and notice given that it was the desire that it should be considered as pending.

Mr. WORKS. If the Chair is right about that, of course I concede that my resolution would have to lie on the table for the present. I desire, however, that the resolution may be read, because I think it is due Senators who are to discuss the question that the question I present should be known.

The PRESIDENT pro tempore. In the opinion of the Chair, the reading of the resolution is in order, because it is a matter connected with the motion pending. The Secretary will read the resolution which has been offered by the Senator from California.

The Secretary read Mr. WORKS's resolution, as follows:

Whereas an investigation of certain charges against Senator ISAAC STEPHENSON, affecting his right to a seat in this body, has been had by the Committee on Privileges and Elections; and

Whereas the charges under which said investigation was made go to the question of the corrupt use of money by said STEPHENSON; and Whereas a majority of said committee has reported that the said charges have not been sustained by the evidence, but all of the members have condemned the said STEPHENSON for the expenditure of an excessive and unreasonable amount of money, characterizing his expenditure thereof as "in violation of the fundamental principles underlying our system of government"; and

Whereas it is an admitted fact that the said STEPHENSON put into the campaign to further his candidacy for United States Senator, and to secure his election thereto, placing the same in the hands of political managers for that purpose, the sum of \$107,793.05: Now therefore

Resolved, 1. That the furnishing of so large a sum of money to secure an election to the United States Senate is itself an act of corruption committed with the purpose of and with intent to secure such election.

2. That the said STEPHENSON was thereby guilty of corrupt practices affecting his election.

3. That ISAAC STEPHENSON was not duly or legally elected to a seat in the United States Senate by the Legislature of the State of Wisconsin.

Mr. WORKS. As the Senator from New York is entitled to the floor, I shall not submit any remarks on the resolution at the present time.

Mr. HEYBURN. Before the Senator from New York takes the floor, it is proper to place the suggested amendment in proper relation to the discussion of this question. The Senator from California has, I may be pardoned for saying, omitted a part of the quotation which I am sure he intended to insert.

Mr. WORKS. Mr. President, if the Senator from Idaho suggests anything that I have omitted that should go into the resolution, I will be very glad to insert it.

Mr. HEYBURN. I refer to the quotation. I know the Senator did not intend to insert a part of the quotation, and I call his attention to it in order that it may be corrected, if the Senator thinks that I am right.

Mr. WORKS. If the Senator will give me a reference, I will be glad to look at it.

Mr. HEYBURN. I would prefer to state it in open Senate for the RECORD.

Mr. WORKS. Very well.

Mr. HEYBURN. Not having the print before me, I speak from recollection. I think the Senator quoted the language that "such expenditures were in violation of the fundamental principles underlying our system of Government," and stopped there, as though that were all of the sentence.

Which contemplated—

The sentence proceeds—

which contemplated the selection of candidates by the electors and not the selection of the electors by the candidate.

The violation suggested refers only to that particular subject. It is not intended, nor does it say that these acts constituted a violation of the fundamental principles of the Government as a whole. I think the Senator would hardly like to divide that sentence.

Mr. WORKS. Mr. President, of course the quotation should be before the Senate fully, and then comes the question as to the construction to be placed upon it.

Mr. HEYBURN. I drew the sentence after several attempts to get the exact language that would express just what I meant to express. I dislike, of course, to see the sentence so stated as to convey a different meaning from that which I intended to convey.

Mr. WORKS. I had the exact language as it appears in the RECORD before me at the time, and there was certainly no intention to so state it as to result in a wrong construction of the whole sentence.

Mr. HEYBURN. I did not intend, and the language will bear me out in the contention, to say that it violated all the principles of Government; but I enumerated the only principle that it was intended to apply to.

Mr. WORKS. Whether the Senator from Idaho intended to say that or not, that is my construction of the acts; and I certainly do not want to misquote him.

Mr. HEYBURN. And of course it is perfectly proper for the Senator to state his judgment as to whether any act was a violation of any principle of government. However, I did not want it quoted from my report.

The PRESIDENT pro tempore. With the consent of the Senate, the Chair desires to state, in connection with the ruling of the Chair upon the resolution offered by the Senator from California, that the substitute resolution proposed by the Senator from Washington [Mr. JONES] is annotated on the back as follows, which the Secretary will read.

The Secretary read as follows:

MARCH 22, 1912. Resolution offered by Mr. JONES as an amendment, in the nature of a substitute, for the motion made by Mr. HEYBURN on February 19, 1912, as follows:

"Mr. HEYBURN. I move that the report of the committee be adopted and that ISAAC STEPHENSON be declared entitled to a seat as Senator from the State of Wisconsin in the United States Senate."

The PRESIDENT pro tempore. The Chair is informed that the RECORD of March 22, Friday, discloses the following in relation to that matter, which the Secretary has here on the file. The Secretary will read it for the information of the Senate.

The Secretary read as follows:

SENATOR FROM WISCONSIN.

Mr. JONES. Mr. President, as an amendment in the nature of a substitute for the motion of the Senator from Idaho [Mr. HEYBURN], that the Senate agree to the report of the Committee on Privileges and Elections in reference to the charges preferred by the Legislature of the State of Wisconsin against ISAAC STEPHENSON, a Senator from that State, I submit and desire to have pending the resolution which I send to the desk.

The resolution is as follows:

"Resolved, That ISAAC STEPHENSON was not duly and legally elected to a seat in the Senate of the United States by the Legislature of the State of Wisconsin."

Mr. HEYBURN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho rise to a question of order? The Senator from New York has been recognized by the Chair.

Mr. HEYBURN. I rise to a question that is always in order.

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Idaho?

Mr. ROOT. I do.

Mr. HEYBURN. I desire to say, and I would ask leave to say it in the Senator's time if he were on his feet addressing the Senate, what a Senator, as it is stated here, in charge of a measure, may say, that the resolution which I offered on the floor was in exact conformity with the resolution that has brought the issue to the attention of the Senate in all other matters of this nature. It was not a departure from the rule.

Mr. ROOT. I ask that the resolution which is now before the Senate be read.

The PRESIDENT pro tempore. The Secretary will read the pending resolution.

The SECRETARY. Senate resolution 223, by Mr. JONES—

Mr. ROOT. I ask that the resolution offered in support of the report of the committee be read.

The PRESIDENT pro tempore. The pending resolution is the resolution of the Senator from Washington [Mr. JONES] in the nature of a substitute for that of the Senator from Idaho.

Mr. ROOT. I ask that the resolution for which that is a substitute be read.

The PRESIDENT pro tempore. The Secretary will read the resolution proposed by the Senator from Idaho.

The Secretary read as follows:

Mr. HEYBURN. I move that the report of the committee be adopted and that ISAAC STEPHENSON be declared entitled to a seat as Senator from the State of Wisconsin in the United States Senate.

Mr. ROOT. Mr. President, I can find neither in the testimony nor in the reports and views of members of the Committee on Privileges and Elections nor in the arguments which have been made in the Senate upon these resolutions any justification for refusing to agree to the conclusion reached by the committee.

There are two provisions of the Constitution under which the conduct of a Senator may be called in question and made the subject of judgment by his colleagues in the Senate. The first is contained in section 5 of Article I, which provides that—

Each House shall be the judge of the elections, returns, and qualifications of its own members.

And the other is the second paragraph of the same section of the same article, which provides that—

Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

On the 15th of August last the Senate adopted a resolution directing the Senate Committee on Privileges and Elections to inquire—

whether in the election of said Isaac Stephenson as a Senator of the United States from the said State of Wisconsin there were used or employed corrupt methods or practices.

Upon that resolution the committee has reported as follows:

Wherefore your committee, having given full consideration to the law and to the testimony and to all of the facts and circumstances brought to its notice, does find that the charges preferred against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, are not sustained, and your committee further finds that the election of said ISAAC STEPHENSON as a Senator of the United States was not procured by corrupt methods or practices.

It is plain, Mr. President, that questions for judgment of the Senate under these two different provisions of the Constitution are widely different questions. Much of the testimony which has been adduced and most of the argument upon that testimony which I have heard and have read are addressed properly to the question that we would have before us if proceedings had been taken under the second provision authorizing the Senate with the concurrence of two-thirds to expel a Member. We are not proceeding under that provision. The question that we have before us is a question as to the election, return, and qualification of Mr. STEPHENSON, not a question as to whether he has been guilty of conduct which would justify the Senate in expelling him from its membership.

No question is raised regarding the return of Mr. STEPHENSON's election upon the face of the certificate which came to the Senate in the ordinary course of law. He was regularly elected a Senator. There is no question as to his qualification. He possesses without challenge the qualifications prescribed by the Constitution, and no Senator has asserted, or will assert, that it is competent for us to add to or detract from the sum of the qualifications which the Constitution prescribes for a Senator.

The sole question is as to the election of Mr. STEPHENSON, and upon that the question is whether the votes that appear by the returns to have been cast for him are valid votes. If they are valid votes, he is entitled to his seat no matter what his conduct may have been. If they are invalid votes, then there is no lawful election.

The testimony shows that on the 26th of January, 1909, in accordance with the statute, the two houses of the legislature of Wisconsin met separately and voted for a Senator of the United States. It shows that in each house a majority of the votes cast were cast for Mr. STEPHENSON. Thereafter, in accordance with the statute, the Legislature of Wisconsin met in joint assembly, and it was plainly the duty of the presiding officer of that joint assembly to declare the result, which was that a majority of the votes having been cast in each house for Mr. STEPHENSON, he was elected Senator. That course, however, was not followed; but the joint assembly proceeded again to ballot, and, after a long series of days passed in balloting, finally there came a ballot in which a majority of the votes cast were cast for Mr. STEPHENSON, and he thereupon was declared elected. If those were valid votes, Mr. STEPHENSON is entitled to his seat; and not only is he entitled to his seat, but the citizens of the State of Wisconsin are entitled to have him take and keep his seat, and every citizen of the State of Wisconsin is entitled to have him take and keep his seat. More than that, the people of every State of the Union are entitled to have, and every citizen of New York or of Michigan or of Georgia or of California is entitled to have, him take and keep his seat. That right of the people of our country can not be brushed aside by the production of evidence which may lead Members of the Senate to feel that it was wrong that Mr. STEPHENSON should have been elected; by the production of evidence upon which argument may be based that his conduct has been such that he ought not to sit in this body. It is not for us to determine whether the conduct of any man should lead to his being included or excluded as a Representative in Congress of a State in this Union. So long as he is sent here by valid votes, the Constitution provides that—

The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof.

If any man comes here chosen by the legislature of his State, it is not within our power to say that he shall not occupy his seat, unless he is guilty of conduct which, charged against him, leads to an expulsion by a vote of two-thirds of the Senate.

I dwell in limine upon this distinction, because I think there has been a failure to observe it in a large part of the argument which has been made against the report of the committee. The evidence discloses the fact that a very large amount of money was used in this primary campaign in the State of Wisconsin, \$107,000, in behalf of Mr. STEPHENSON, forty-two thousand and odd dollars in behalf of another candidate, and large sums in behalf of others.

Mr. President, the evidence discloses the prevalence in the State of Wisconsin during the primary campaign that ultimately resulted in Mr. STEPHENSON's election to the Senate of a bad old practice, which I believe to be passing away, and happily passing away—the bad old practice of electioneering by appeals to personal favor, to personal kindness, to good fellowship, to the feeling created by personal social intercourse, and which by the use of money for the employment of advocates tends to substitute appeals of that description for appeals to the sober judgment of the electorate. I look with the greatest satisfaction upon the statutes which are aimed to control and to dissipate the habit into which our people have fallen, of electioneering in that way; but, sir, the fact that in the development of our national ideas as to the proper conduct of government, we are passing out from under the control of an old practice that should be laid aside, does not justify us in imposing upon a judgment as to the validity of an election our opinion as to the proper way of seeking for the favor of the people who take part in the election.

Nine-tenths of everything that has been said here regarding the use of Mr. STEPHENSON's money in this election is wholly irrelevant to any question as to whether or not this election is valid. In passing let me observe that a mere statement of the sum of money which is said to have been expended may lead to doing injustice to Mr. STEPHENSON, because, it seems to me as I examine this evidence, that probably a very large part of it was not expended. I should not think it an accurate statement to say that Mr. STEPHENSON expended \$107,000. I would rather say he gave up \$107,000, and no one knows how much of it was expended. Certain portions of it have been accounted for, accounted for by statements of expenditures, some of which were in very bad taste and some of which were entirely proper.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Idaho?

Mr. ROOT. I do.

Mr. BORAH. The Senator from New York says that a very large portion of this money was not expended. Every dollar of this money, Mr. President, went into the hands of the electorate. The man to whom it was paid might not have paid it to anyone else, but he himself was a voter and the influence of the money operated upon him as a part of the electorate whether he paid it to the other individuals or not. All this money went into the electorate and controlled and influenced the election.

Mr. ROOT. Well, Mr. President, the money that went into the hands of the persons whose agency is charged against Mr. STEPHENSON can not well be treated as money which was expended by those agents for the purpose of influencing the election.

With this preface, let us turn to the question whether the 123 votes which were cast for Mr. STEPHENSON in the joint assembly or the majority of votes which were cast for him in the separate houses were valid votes. There is practically no claim made that the men who cast those votes did not cast them honestly. The votes were not procured by the bribery of the men who cast them. I say there is practically no evidence and practically no claim that any 1 of the 123 men who voted for Mr. STEPHENSON was paid to vote for Mr. STEPHENSON; there is no evidence or claim that they were coerced to vote for him; there is no evidence or claim that they were misled by deception to vote for him; and the case is entirely wanting in all the circumstances which have formed the basis of contested elections in this body hitherto, in that the entire body of votes cast by duly elected members of the Legislature of Wisconsin for this candidate were cast by honest men, free to discharge their duty, and discharging it with full knowledge of the facts.

Sir, it is going a good way to say that under a provision of the Constitution which declares that a Senator shall be elected by the legislature of the State, when the Senator comes here with a duly authenticated certificate that votes of a majority of the legislature of his State have been duly cast for him, and no one questions the honesty or the freedom or the full knowledge of the members of the legislature who cast them for him, we can deny him a place in this body.

I say it is going a long way to say that, but still I believe there may be circumstances under which it can be done. I agree with the proposition which was presented in the Payne case, that if members of the legislature vote pursuant to the determination of a party caucus, and it can be shown that the determination of the party caucus was obtained by bribery, that indirect effect upon the casting of a legislator's vote may communicate the bribery to the final vote. I agree with the proposition which was made in the Caldwell case, that the purchase of the withdrawal of an opponent who controls certain votes and at the same time his turning over of his votes to another candidate might be held to vitiate the vote so obtained by the indirect use of money, but that is not the case here. The members of the legislature voted for Mr. STEPHENSON, so far as there is in this record any evidence at all of the influences which were brought to bear upon them or which actuated them in their vote, because Mr. STEPHENSON was the regular candidate of the Republican Party.

Mr. KERN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Indiana?

Mr. ROOT. I do.

Mr. KERN. May I inquire how he became the candidate of the Republican Party?

Mr. ROOT. I was about to state that. The law of Wisconsin provides, chapter 451, Laws of 1903, as follows—and I read from the quotation contained in the report of the committee:

Party candidates for the office of United States Senator shall be nominated as other State officers. (Subdivision 3 of sec. 2.) Nomination papers for candidates for the office of United States Senator shall be filed in the office of the secretary of state. (Subdivision 1 of sec. 6.) The person receiving the greatest number of votes at the primary as the candidate of the party for the office voted for shall be the candidate of that party for such office.

Under that law the voters of Wisconsin proceeded at the election for members of the legislature in the year 1908 to vote at the primary for candidates of their respective parties for the office of United States Senator.

Mr. STEPHENSON, as a Republican candidate, received 56,909 votes; Mr. Cook, a Republican candidate, received 47,825 votes; Mr. McGovern, a Republican candidate, received 42,631 votes, and others received a smaller number of votes. The vote cast for Mr. STEPHENSON exceeded the vote for the next highest

candidate by the number of 9,084. He had 9,084 plurality. Now, if we pass from the consideration of the—

Mr. WORKS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from California?

Mr. ROOT. I do.

Mr. WORKS. Before the Senator leaves that question, I should like to ask him a question. Suppose the Senator be correct in his statement that the members of the legislature honestly voted for Mr. STEPHENSON, and suppose further that they honestly believed that they should vote for him because he was the candidate of the party as a result of the votes at the primary election, and suppose that he succeeded in becoming the candidate by the vote at the primary election by the corrupt use of money, would not that affect his election?

Mr. ROOT. Mr. President, the Senator from California confirms me in the hope I have entertained that the plan which I had formed for my remarks on this subject was suited to meet the real questions in the case, for his question would do very well as series of headings or table of contents of what I am about to say.

I say, suppose that we pass the consideration of the honesty and the freedom of the votes cast by the members of the Legislature of Wisconsin in the primary election, and consider the validity of the votes cast in that election, a proceeding entirely outside of the provisions of the Constitution and entirely outside of the provisions of the Federal statute, nevertheless a proceeding which did affect, and to a great extent determined the action, and which furnished the motive for the action of the members of the legislature in casting their votes, how are we to determine whether the primary election was valid or invalid, for that is the question which we reach by this process?

The members of the legislature voted for Mr. STEPHENSON because they regarded him as the candidate of their party. Was he or was he not the candidate of their party? That is the question. According to the law of Wisconsin, the Republican who received the highest number of votes at that primary was declared to be the candidate of the Republican Party. According to the returns Mr. STEPHENSON received 9,000 more votes than any other Republican, and if those were valid votes, then, under the law of Wisconsin, he was the candidate of the Republican Party.

What is there to impeach the validity of that election? Does anyone undertake to show that those 9,000 votes or any considerable proportion of those votes were invalid? No. What we are told is that a large amount of money was distributed in the State of Wisconsin to people who went about soliciting favors for Mr. STEPHENSON, talking about him, telling the people what a great and good man he was, talking in saloons and treating to cigars and drinks, besides the hiring of carriages, automobiles, and workers to get the people to come out and vote; but, sir, what is there to impeach these votes? I call the attention of the Senate to the clear and indisputable proposition that you have got to impeach the votes. The way in which the vote is obtained is of no consequence, unless the vote is corrupted, unless the vote is invalidated. I say it is of no consequence—it is of no consequence upon our consideration and judgment under the clause of the Constitution under which we judge of the election of our Members; but it might be of great consequence if there were a motion to expel a Member.

Mr. O'GORMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to his colleague?

Mr. ROOT. I do.

Mr. O'GORMAN. Do I understand the senior Senator from New York to declare that, if the members of the legislature have innocently and honestly voted, the election of a Senator can not be impeached, however corrupt some of the preceding steps may have been? I understood the Senator to say a moment ago that, as was held in this body some years ago in a case where a caucus was under corrupt influence, the action of the legislature will not be recognized if it yields to that influence.

Mr. ROOT. Mr. President, I must ask my colleague not to insist upon my repeating what I have already stated.

Mr. O'GORMAN. If that be so, would not the corrupting influence at the initial stage of such a matter, namely, at a primary, equally impeach the electors?

Mr. ROOT. The expression "corrupting influence" may mean influences which would invalidate a vote or it may mean influences that would not. The question is whether there are corrupting influences brought to bear upon a vote so as to invalidate it.

Mr. O'GORMAN. I should like to ask the Senator one other question. In principle, does he discover a difference between

the corrupting influence that may govern a caucus and the corrupting influence and the improper use of money at a primary?

Mr. ROOT. I do not.

Mr. O'GORMAN. That is all.

Mr. CUMMINS. The opinion the Senator from New York has reached and announced is, if I understand it, that those who seek to impeach the title to the seat under consideration must show that the 9,000 votes or more, which measured Senator STEPHENSON's plurality, must be shown to have been corrupted, so that that number, being deducted from those which apparently were cast for him, will leave him not with a plurality, but with fewer than a plurality; in other words, to apply the same doctrine to the primary vote that has heretofore been applied when members of the legislature have been shown to have been corrupt. Do I understand correctly the position of the Senator from New York?

Mr. ROOT. The Senator from Iowa does correctly understand my position with one modification, and that is I do not think it is necessary to prove in 9,000 separate cases that a vote has been corrupted. It must be the law, by which we must be governed, that it is necessary to prove that the vote has been corrupted. You can not take away the right of a citizen of Wisconsin to cast his vote and to have it counted and to have it effective by anything that other persons may do with each other.

Now, sir, I am not in favor of hiring people to go to the friends of a candidate or to curry favor by all the old means of electioneering, but I deny that because A and B make an arrangement in which B is induced by money, induced by hope of a reward, induced by personal favor, to undertake to influence C, a voter, that inducement to B invalidates C's vote. I deny that anything that A and B do can invalidate C's vote. You have to bring it home to C. I say, sir, there is nothing in this testimony in the way of substantial evidence to justify us in depriving the 9,000 men who cast votes of having them counted in accordance with the law of Wisconsin.

How can you, sir, say that a voter of Wisconsin was affected by whatever argument or appeal was presented to him by the man who had Mr. STEPHENSON's money in his hand? It is a monstrous proposition—that an elector, voting for a candidate, can have his vote taken away by something that two other men do between each other.

Mr. OVERMAN. In the Caldwell case, Caldwell being A made an arrangement with Carney, who was B—

Mr. ROOT. By which Carney turned over the votes which he controlled.

Mr. BORAH. Is the Senator entirely correct when he says Mr. Carney turned over his votes? Does not the record simply disclose that Mr. Caldwell paid him \$15,000 to step out and leave him the sole candidate?

Mr. ROOT. The necessary corollary is that he turned over his votes.

Mr. CUMMINS. I beg the Senator's pardon, but I should like to ask him a question.

Mr. ROOT. I am very glad to have an interruption for any suggestion.

Mr. CUMMINS. The Senator will recognize, I believe, that while, if the corruption is practiced by a third person without the knowledge of the person holding the seat, enough members of the legislature must be corrupted to change the result, yet if the person whose seat is challenged has guilty knowledge of the corruption of a single vote, even though it be not decisive of the result, nevertheless the title to the seat may be successfully challenged. Does the Senator recognize that the same rule would apply with regard to a primary voter casting his vote in a primary election?

Mr. ROOT. I am not able to say, Mr. President, what extension of that rule is practicable or possible to the new form of election which we call primary election. I do not think it is a practical question here, because there is here no evidence of the corruption of primary voters on the part of Mr. STEPHENSON; no evidence upon which you can impute to him the corruption of any voter. He employed agents to secure the favor of the electors, and the securing of that favor is certainly not corruption. No evidence is produced here of any man who voted at a primary in pursuance of an agreement to vote for compensation or for a bribe—none that I have seen and none that I have heard produced. The weight and burden of the argument here is that the hiring of these men and the paying of newspapers to publish favorable articles is the corrupt use of money. I say, whatever you may call it, it does not go to the question that is before this Senate now. It is nothing but a question of the conduct as between Mr. STEPHENSON, or Mr. STEPHENSON's agents, and the people whom he employed to do the work for him.

Mr. CUMMINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York further yield?

Mr. ROOT. I do.

Mr. CUMMINS. I do not intend to call the attention of the Senate or the Senator to the testimony, but I think this question may clear the atmosphere a little. Suppose Senator STEPHENSON had given the \$107,000 to Mr. Edmonds—was it?—with the direction that he expend it upon the members of the legislature for the purpose of securing his election, being careful to limit it to legitimate expenditures, and that is all the knowledge Senator STEPHENSON had of the manner in which the expenditures were made. Suppose Mr. Edmonds had then bribed one member of the general assembly, not enough, of course, to change the result; would or would not Senator STEPHENSON be within the rule I have suggested of having guilty knowledge or being in a guilty way a participant in the outcome?

Mr. ROOT. I dislike very much to answer moot questions, because other cases are liable to arise, and I would rather consider a case upon its own facts than to express opinions upon entirely supposititious cases.

I will say to the Senator, however, that I do not think in the case he puts the results which come from the corruption of a smaller number than is necessary to affect the result could be imputed to Senator STEPHENSON. I think he appointed his managers, and he paid out money, the evidence shows a great deal more than he meant to pay out or wanted to pay out, as they made demands upon him, but he personally took practically no part in the campaign. So I say there is not in this case any bringing home to him of the corruption of any member of the legislature or the corruption of any elector at the primary which would justify in any way our refusing to give legal effect to the votes that were cast, which would justify us in depriving the men who cast the votes of the right to have the votes counted and made effective. And I say that, under the circumstances of this case, the vote of the legislature can not be rejected upon showing that they voted because of the majority in the primary which Mr. STEPHENSON had without showing that the number of votes which made up that majority were corrupted or by any reason invalid.

Surely, while we have a broad discretion in our treatment of the election of our Members, when we consider the question whether the members of the legislature were misled in regard to who was the candidate of their party and for the purpose of determining that we go to the primary election and determine whether or not STEPHENSON was the candidate of his party, we should apply the ordinary and established rules applied to elections by the great tribunals of the country. I think you will not find in any court, National or State, any case in which a rule of computation has been applied which would justify the wiping out of the 9,000 votes plurality and put Mr. STEPHENSON in the place of not having been in fact the legally selected candidate of his party.

It follows that the members of the Legislature of Wisconsin who cast the votes which have been returned here voted not merely freely, not merely without corruption, but they voted in reliance upon what was the fact, that Mr. STEPHENSON was the legally selected candidate of his party.

Mr. President, we have very broad powers. We have wide discretion, but it is not an arbitrary discretion. Our power to judge of the election of our Members does not justify us in going according to whim or opinion upon questions of policy, nor indeed if there were a motion made to expel Mr. STEPHENSON under the other clause of the Constitution would we be at liberty to act upon any such rule.

We are told here that Mr. STEPHENSON by hiring men to go out and work for him and by paying newspapers to publish favorable articles has violated the fundamental principles of our Government. Well, Mr. President, I do not feel so sure of that. I think it is very bad practice for a man to hire people to go out and vaunt his virtues among the electorate, but I am not sure that it is so much worse than it is for a man to go out and vaunt his own virtues before the electorate.

Mr. HEYBURN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Idaho?

Mr. ROOT. I do.

Mr. HEYBURN. I seem to have been particularly unfortunate in phrasing—

Mr. ROOT. Mr. President, may I say I did not refer to what the Senator from Idaho has said? I referred to the arguments that have been made by the Senator from Kansas [Mr. Bristow] and the Senator from Missouri [Mr. REED].

Mr. HEYBURN. I think in fairness to the report of the committee and the chairman of the committee that phrase should be stated perhaps with more than usual care, because there is just one principle referred to, and it is stated.

Mr. ROOT. Mr. President, I realize that the majority carefully guarded the statement. Gentlemen arguing on the floor of the Senate have not guarded their statements, and I have heard repeated over and over again here the proposition that Mr. STEPHENSON should be denied his seat in the Senate because he has violated the fundamental principles of our Government.

I say I do not feel so sure that it is worse, that it is more injurious to the interest of the people of the country for a man to employ men to go and vaunt his virtues and merits than it is for a man to do it himself. We employ lawyers to present with all the arts of argument and of persuasion our claims before juries and courts. We employ agents to market our goods and laud them to the skies. I do not know that it does violate the fundamental principles of our Government for a man who has grown old in an honorable life in his community, whose voice can no longer be heard upon the hustings, who has not the physique or the acquired habit of the lawyer or the political speaker to enable him to go out and laud himself to the people of his State, to employ men to do it.

I do not approve it, sir, but I confess that it is far more distasteful to me to see candidates going about and lauding themselves. But if he did, if this was a violation of the fundamental principles of our Government, if it were such a violation of fundamental principles that we could expel a man for it, are we to deprive the voters of Wisconsin of their right to have a representative in the Senate who has been elected by the honest votes of the legislature of their State in accordance with the Constitution, because the man whom they have selected has violated fundamental principles of our Government?

Mr. President, I take leave to hold the opinion that there are Senators in this Chamber who have violated the fundamental principles of our Government in their departure from the system of representative government, in their denial of our right to trust the people of our country to select wise and faithful representatives, in their denial that there are men in their community of honor and probity who can be trusted to represent the people of the community. I think there are Senators here who have violated the fundamental principles of our Government by their proposal to destroy the independence of the judiciary of our country, which alone avails to preserve the great fundamental barriers of the liberty of the citizen against the unrestrained power of a tyrannical government. But, sir, I do not conceive that, because I think these, my colleagues, are so misled as to violate these fundamental principles of government, I am at liberty to say that the people of their States can not send them here to represent them.

Mr. President, it is but a few months since I stood upon the floor of the Senate arguing against the retention of a sitting Senator in his seat because I believed that the evidence showed the votes of the members of the legislature who elected him to have been purchased. I warn the Senate now that the exercise of the right to do speedy and stern justice where there has been corruption does not give warrant to introduce as an additional qualification of the right to a seat in this body any requirement of conformity to our views as to what are the fundamental principles of our Government. There could be no more fatal blow to the just administration of that law which we are charged with administering, to keep pure the membership of this great body, than the introduction of a principle which leaves us with no rule of justice to apply and makes every seat depend upon the opinion of the Members of the Senate as to the policy which men ought to advocate.

We have lived for more than a century and we have inherited the jurisprudence of many centuries during which the elections and qualifications of members of legislative bodies have been determined by those bodies, but never, sir, in all the legislative history of England and America can you find a case in which the exercise of the power vested in a legislative body to deny a seat to a member has been carried to such an extreme of fantastical whimsicality as is proposed in the resolution to unseat Mr. STEPHENSON.

Mr. BORAH. Mr. President, these are the most unpleasant matters with which we have to deal in the Senate. I am sure that everyone would be glad to be relieved from dealing with such matters if it were practicable to do so. But the proposition is here for determination, and each must bear his part as he sees it in the light of the facts and the record.

I think, Mr. President, it is just to the committee to say a word in regard to the manner in which the committee discharged its duty and in regard to the report which it has

brought into the Senate. Certainly whatever difference of opinion there may be among us with reference to what the report shows or the hearings disclose, we must agree that the committee did its work in an efficient and thoroughgoing fashion. We have before us perhaps as accurate and complete a gathering of the evidence as could be had, and we have it before us in such a way that every Member of the Senate may be, with as little labor as could be expected in so important a matter, advised as to what the record contains.

I desire also to say that, so far as the law is concerned, I do not think I differ in any respect from the views expressed by the Senator from Ohio [Mr. POMERENE] and the Senator from Utah [Mr. SUTHERLAND]. I hold a different view, however, with reference to what the evidence or the facts disclose as to the effect which this large expenditure of money has had upon the general electorate, which, as a moral proposition, finally controlled the legislature which selected the Senator for this body.

I am not able to look at this case in the narrow light in which it has been viewed by some. It has a wide significance and is an instructive commentary upon what is fast becoming a national vice. I think our national pride does not permit us to believe that the things which have affected other people injuriously must affect us in the same way if they are not controlled. No one ever admits, of course, that the vices which undermine the character of others will ever get such hold upon him that it will in any wise injure or affect his character. Nations are but aggregations of individuals in this respect. We are not willing to admit that the corrupt influences which have had such a direful effect upon other nationalities will, if not resisted, have the same effect upon our Nation; and we are not willing to admit that the same course is being pursued by those influences precisely as were pursued in the history of other countries.

I call attention to this, Mr. President, for the reason that as a society grows older and more schooled in the methods which may be pursued to accomplish illegitimate purposes, different schemes and different policies and different plans will be adopted, and we can not content ourselves with a rule for the discovery of corruption and for the resisting of the influence of corruption which might have obtained and been efficient in this country a hundred years ago. We must meet this insidious, subtle influence in its different forms and in whatever manner it may arise in the different stages of society. Through a multitude of ways it will seek to accomplish its purpose, and it devolves on us to be equally vigilant and equally versatile as to methods in resisting it.

I have been interested in looking back over the history of Rome as it is outlined in the fascinating and instructive book known as Ferrero's Rome. After Rome had won supreme power in the Mediterranean and had become the greatest political factor in the world, Ferrero calls attention to some things which led to Rome's destruction, and which, if they were cut out and recopied into the current history of to-day, would not be distinguished from the facts as they actually are. He says:

It is true that corruption was not entirely open and shameless. From time to time Rome would still profess horror at the revelation of a scandal, such as the affair of the Praetor Hostilius Tubulus, who was convicted of having sold his verdict in a murder trial. But how was it possible to keep watch and ward over the subterranean channels of intrigue and corruption? Who could call rich magnates to account for insidious entertainments that broke down the last scruples of a needy and glutinous nobility? Who could gauge the exact influence of money on dependents in an election or proclaim the opportunity and unacknowledged distribution of parties?

I read another paragraph from Ferrero:

The Roman electorate numbered at this time some 910,000 voters. * * * Skillful wirepullers had thus gradually been enabled to elevate dealing in votes to the level of a regular trade. They formed the dregs of the electorate into organized clubs or colleges and made sure of their men by a careful system of free dinners and petty largess. Then they sold their votes by contract to the several candidates with complicated precautions to insure the faithful execution of the promises.

How was it possible to measure, to gauge, to circumscribe the insidious influence of money upon the electorate, and how was it possible to measure the effect of unacknowledged distributions of political parties? According to the argument of the distinguished Senator who has just taken his seat [Mr. Root] that would seem to be the precise difficulty with which we here have to contend. And yet we are called upon to deal with it as we would be expected to deal with a frank and open foe. We know that a vast amount of money was put into the election, a fortune was distributed among the electorate, and because we are unable to select out the individual voter and put our brand upon him as the purchased voter it is said that our inquiry there must end.

But if we are to deal with the insidious influence of corruption we must have not only a more practical but we must have

a more common-sense conception of the method in which we are to deal with it. If we find this influence set to work in a prodigious manner upon the electorate, we must call upon the men who set the influence to work to show that it did not in fact have the effect of corrupting the electorate. I am not willing to subscribe to the rule that after we have clearly shown the plan and purpose to control an election by money that we must then individualize every voter whom it affected.

If a candidate for the Senate sees fit to turn loose in a single election an amount of money which would have startled Catiline himself, I hold that from the time that that corrupting influence is turned loose upon the electorate the duty devolves not upon this Senate, but upon the man who set the corrupting influence to work and who claims his seat in the Senate to show that it was used in a way not to influence the electing body. I think it is a sound principle of morals and a sound principle of law, if a wrong mingles with a right—and I am unable to separate the wrong from the right—then the wrong and the right constitute a wrong, and the man must be held responsible for it who put the wrong agency into operation. If the sitting Member in this body knowingly turned loose an influence designed to control the election—and no one will contend that this money was expended for any other purpose than that of controlling the election—if he put it into operation, from the hour that he did so the duty devolves upon him to show that the use made of it was a legitimate use. I think I will be able to satisfy this body, if time will permit, that that is the rule which ought to obtain and that it is the fair and safe rule. It has always been the rule until we reached that refined state of sophistry where we have been busy in devising plausible arguments to excuse those who use money for corrupting influences.

Mr. HEYBURN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to his colleague?

Mr. BORAH. I do.

Mr. HEYBURN. That was the rule distinctly stated by the committee at the very beginning of this trial, that it did not raise the presumption, but it put the party spending the money to proof of its legitimacy. If the Senator has not already seen that in the record, I can refer him to it.

Mr. BORAH. Mr. President, I am of the opinion that I saw that in the record, and I have no doubt that either consciously or subconsciously it has affected me in making up my conclusion, because I have a very high regard for anything that this committee says upon any matter, and I do not disagree with it, but entirely agree with it.

Before passing, Mr. President, from this particular feature of the general discussion, may I call attention to the language of Justice Miller, where this subject matter of the purity of elections was before the court? Mr. Justice Miller in the somewhat noted case of *Ex parte Yarbrough* stated that the two great natural enemies of all republics are open violence and insidious corruption. He said:

In a republican Government, like ours, where political power is reposed in representatives of the entire body of the people, chosen at short intervals by popular elections, the temptation to control these elections by violence and by corruption is a constant source of danger.

Such has been the history of all republics, and, though ours has been comparatively free from both these evils in the past, no lover of his country can shut his eyes to the fear of future danger from both sources. * * * The free use of money in elections, arising from the vast growth of recent wealth in other quarters, presents equal cause for anxiety.

And I might read further with equal benefit.

How fast we are traveling, Mr. President, along this road may perhaps be best measured by the span of a distinguished career lately closed. Senator Frye was no demagogue; he shrank from the sensational; he had a very firm faith in the value and the permanency of our institutions; he did not take a very active part in the last years of his life in matters political, but he reflected deeply, as everyone knows, upon the political tendencies of our time. During his career here in the Senate he denounced in unmeasured terms the expenditure of \$15,000 in a senatorial campaign. The amount itself was sufficient to arouse the fears and to call for the censure and condemnation of this distinguished Senator, and yet he lived to see \$100,000 expended in a single canvass and lived to hear men justify it as a probable, possible, legitimate expenditure.

I do not know, in reflecting upon the rapidity of our movement in this direction, where we are going to draw the line, and how, as we shall finally establish the precedents, we are going to prove corruption at all. In the last session of this body some seven or eight men came before a Senate committee and admitted to individual corruption in a legislature, shamefully confessed the taking of a bribe for the casting of their vote,

and Senators rejected the statements and testimony of those men because they were confessed bribe takers. So we established the precedent at the last session of this body that, though the members of the legislature come forward and confess to the taking of the bribe, there must be sufficient testimony outside in order to justify a denial of the seat; that there must be some honest testimony, as if there would be any honest witnesses present at the giving and the taking of a bribe. Now, we are about to say, in practical effect, that there shall be no limit as to the amount.

With the eyewitnesses and the personal participants rejected as unworthy of belief, with the amount unlimited, and with the doctrine just announced here upon the floor of the Senate by the Senator from New York [Mr. Roor] that you must individualize and brand the individual voters who may have been corrupted, how, under the precedents that we are fast establishing, shall we ever inhibit a man taking a seat in this body who has poured a fortune into the electorate of his State and in every way used money to control an election? What will be the final judgment and the ultimate precedent of the Senate of the United States under such rapid movement as we are making now in the direction of the expenditure of money used for the purpose of controlling elections?

Mr. President, there is a different rule. It is a plain and simple one, and it has been announced in the decisions of our courts and by legislative bodies, including this one, time and time again. If we will get back to those old, original, settled, honest rules, some of which I shall discuss before I take my seat, and apply them, there will be no difficulty in ascertaining what man is legitimately entitled to his seat and who is not.

There are two questions presented by this record. The first is, May we inquire into the use of money at a primary? Is the expenditure of money at a primary election a matter of concern to this body when it is inquiring into the legitimacy of the election which afterwards take place in the legislature? Secondly, after we have determined whether we may inquire into the expenditure of money at the primary, then we inquire, as a matter of fact, what was the amount of money used, how was it expended, and what was the effect of its expenditure upon the primary? These are the two main propositions presented by the record.

I might say, Mr. President, that I could agree in a very large measure with the argument of the Senator from New York on several points so far as the law is concerned; I only disagree with him when he comes to apply the admitted legal propositions which he makes to the facts in this case. When he admits, as I understand him to admit, that the corruption of the primary may be so extensive as to affect the legislative vote, it seems to me he must suffer the charge of inconsistency when he afterwards lays stress upon the necessity of singling out the particular vote corrupted.

It is important to remember that a primary election, while not provided for by the Constitution of the United States, still is not affirmatively prohibited by the Constitution. It is not in itself immoral, but is a perfectly proper way by which the people may exert a moral influence upon the legislature. The Constitution provides that the legislature may elect and must elect, but the means by which the legislature, through moral suasion or otherwise, may be brought to elect one person rather than another is left open, and the primary is one of the methods by which that result may be brought about.

It is admitted, of course, as stated by the Senator from New York, that our power extends no further than to judge of the election. That will be conceded as a basis of any argument that we may make, but I maintain that in judging of the election we may inquire, first, into everything which operated upon or served to bring about the result which was obtained when the ballot was finally cast, and, second, that our authority is not confined to an inquiry concerning the actual facts at the time of the casting of the vote, but that we may go back and locate every substantial means by which the final result was obtained or controlled. Whatever operated upon or exerted an influence upon the vote so as to bring about the particular result is a subject of legitimate inquiry under our power of judging of elections. The means by which this influence was exerted may not be a means known to or recognized by the law—

Mr. HEYBURN. Mr. President—

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator from Idaho yield to his colleague?

Mr. BORAH. In just a moment; when I finish the sentence—in fact, it is more likely, if it is a corrupt influence or means, to be outside of the law, but it is sufficient if it operated in a substantial way to bring about the formal acts required by the law. I now yield to my colleague.

Mr. HEYBURN. One of the members of the legislature testified that he was friendly to Senator STEPHENSON; that his friendship was of long standing, and that he had worked for him for 25 years. There was the relation of employer and employee. Would that disqualify that employee, being elected to the legislature, from voting for Senator STEPHENSON?

Mr. BORAH. I do not think so, Mr. President; but I have no doubt from this record that if Mr. STEPHENSON had not received the nomination at the hands of the primary that good friend of his would have to have been content to vote for somebody else.

Mr. HEYBURN. Mr. President, I do not intend to interrupt often, perhaps not all again, but if the Senator will analyze the vote that was cast on the 26th day of January in the separate houses he will find that he may eliminate every man who claims, or whom it is claimed was influenced by the action of the primary, and Senator STEPHENSON still had a majority.

Mr. BORAH. Mr. President, my judgment from this record is that if Mr. STEPHENSON had not received a majority at the primary he would not have been a candidate before the legislature at all, and he would not have received a single vote from the Legislature of Wisconsin. He would not have been there at the running. The man who received the highest vote would himself undoubtedly have received the vote of that legislature. It is not a question of whether one individual or two individuals might have been in favor of the election of Mr. STEPHENSON, but it is a question of what influence operated upon the legislature as a whole to make him the sole candidate of his party before that legislature and thus control the entire legislature.

I believe it to be a sound proposition, therefore, that if a primary is so treated and so regarded by the voters and the candidates, that it exerts a substantial controlling influence upon the legislative body, then any candidate who has corrupted the primary or secured its controlling influence through the use of money must suffer his seat to be declared vacant.

These things are clearly proven, in my judgment, by this record:

First, that there was a primary provided for by the State law and recognized by the candidates for the Senate as one of the substantial influences by which the legislature could be controlled and induced to vote for the man who received the highest vote at the primary.

Second. That both the voters and the candidates considered the primary as morally binding upon the legislature.

Third. That as an actual fact the legislature, not because of legal obligation, but as a moral obligation, treated the primary as binding, and felt constrained to act in accordance with the result of the primary.

Fourth. That the evidence that the sitting member regarded it as binding and conclusive is found in the fact that he put \$107,000 into the primary in order to have the binding force and the controlling effect of that primary upon his legislature.

Fifth. It is perfectly clear from the record that without the primary vote which had been secured by the use of money, as we contend, upon the part of Senator STEPHENSON, Senator STEPHENSON would not have been elected and would not have been a candidate before the legislature.

Sixth. It can not be said that an influence so conclusive in bringing about the result in the legislature could be corrupted without the corruption affecting the body upon which it operated and which formally cast the vote which secured the election.

Seventh. Is it not a clear and conclusive proposition that if the instrument or means by which an election is brought about or controlled or substantially influenced be corrupted the election itself can not be clean?

If the influence which finally controlled the legislature, whether legitimately under the provisions of law or simply as a moral and supposedly binding obligation, is secured through the means of corruption, can it be contended that the election itself can be clean? I do not care, so far as my view of the law is concerned, whether those men who voted in the legislature were familiar with all the facts by means of which that public opinion had been formed and crystallized or not; I do not care whether they were a part of the scheme by which to control the popular opinion, because I stand upon the proposition laid down by Members of this body many years ago, that if A, B, and C agree to vote as D votes, and the candidate for the Senate buys D, he has corrupted all of them. If I in good faith believe that the people whom I represent in the State legislature have directed through their expression of preference that I shall vote for a certain candidate for the Senate; if, acting in the best of faith, I obey that public opinion freely and innocent of any

wrongdoing; and if it turns out, nevertheless, that that public opinion has been controlled and secured—misleading me and deceiving me—by the use of money, I do not believe that it is a sound principle of law or of morals that my vote can serve the man who thus corrupted it and who has misled and deceived me as a member of the legislature. I do not see how it can be contended, even in an A, B, C school of morals, that if I go forth and corrupt an influence which finally affects an innocent man, I can then claim the benefit of the corrupting act of which I have been guilty. Such doctrine is not applied in any court of law and has never been applied in any body that has ever had it up for consideration.

Take, for instance, as an illustration, a caucus. Suppose there are three or four candidates in Wisconsin for the Senatorship, they having no primary. Suppose they say among themselves, "We will agree to call a Republican caucus, and the result of the caucus shall be binding upon us; we will accept its result." The caucus is unknown to the law; it is unknown to the Constitution; and in the condition in which it got to be it was unknown to morals. Will anyone contend that if a candidate for the Senate had corrupted a portion of that caucus sufficient to control it, and as a result of that he had been elected, every vote cast was not invalid as against his right to a seat? It is not necessary to limit it to the particular vote which was corrupted or purchased, but they have so combined and constructed the machinery of election as to make it controlling over a body, a large portion of which may be honest.

A primary is nothing more or less, so far as the record in this case is concerned, than a popular caucus. It has been popularized for the purpose of getting the opinion of the people generally as to who should be their candidate for Senator. Will not the same influence, operating upon the primary that operated upon the caucus which invalidated its action, be accredited the same effect when you come to cast the final vote in the legislature, knowing as we do from this record that the legislature voted in obedience to the popular election? If, therefore, the Senator from Wisconsin, through the use and influence of money, secured a vote which he otherwise would not have secured, is it not perfectly clear that everything which resulted from the dictates of that corrupt influence must fall?

The Senator from New York [Mr. Root] says that he objects to holding the Senator responsible for what A and B may get together and do, and contends that their action can not in any wise affect the action of C. Those are not the facts in this case at all. The facts disclosed by this record are these—that the sitting Member authorized his financial agent to secure the popular vote; was himself the author and the active party; made it possible to do that which was done; and, by reason of securing the popular vote, himself controlled innocent members of the legislature. He is not, therefore, in a position to contend that his acts are the acts of an innocent party or that he is being made responsible for the acts of guilty parties, of which he had no guilty knowledge.

I wish to call attention very briefly to one or two statements, or perhaps more, in the brief filed by the very able counsel for the sitting Member, as the position of the claimant of the seat is there stated as clearly as it has been stated at all. This brief, page 11, says:

(A) The primary election for the nomination for United States Senator has no legal or constitutional connection with the election of United States Senator, and the Senate has no legal right to investigate such primary election. Nothing done therein can affect the election of a Senator.

Now, as a proposition of law, of course that is true. As a fact it is not in accordance with the record here. It is most clearly shown that as a fact the primary did "affect the election of a Senator." It controlled the election. If he had not won in the primary he would have had practically no chance to win in the legislature. As a fact I say the primary did control the legislature. The candidates for the Senate considered that it should do so and were bound or were considered to be bound by it.

Again, it is said:

In the primary election a candidate for Senator is nominated by the people at an election by the people. A nomination by the people at a primary is not binding upon the legislature. At the most it is only advisory, a mere recommendation.

So is a caucus.

If, however, by a nomination in a primary the people can confine the election by the legislature to the person selected by them at the primary, then by an act of the State legislature they have to that extent amended the Constitution as they would to that extent control the election and emasculate the right of the legislature to select its candidate at will.

As a simple proposition of law that is undoubtedly well and correctly stated, but what has it to do with the fact that as a

fact in the record the legislature obeyed the popular vote and accepted as it were this popular vote as a petition to the legislature to select a certain candidate? They could have rejected the action of this primary. They could have refused to be bound by it. But everyone understood that they were to be bound by it, and as an actual fact they consented to be bound by it.

The only question now properly before the Senate—

Says the distinguished attorney—

The only question now properly before the Senate is, "Was Senator STEPHENSON legally elected?" not "Was he legally nominated?"

But he was not legally elected under the facts disclosed in the record unless he was legally nominated. If the primary was illegal by being corrupted, then it operated corruptly upon the body which felt constrained to follow the popular vote.

I want to digress for just a few moments from a discussion of the legal proposition to a discussion of the primary which has been criticized here. I do not know that it has any particular pertinency to the discussion, and I certainly should not detain the Senate in discussing the subject if it had not been so thoroughly discussed by those who seem to be opposed to the system. Our friends who are opposed to the primary have taken this opportunity to assail the primary system. With that excess of pleasure characteristic of a belated joy they point out how it fails to do, what no one ever contended it would do, make all candidates decent and all men honest. You had just as well declaim against the whole moral law of Sinai and the statutes which define and punish crime, because after 3,000 years, notwithstanding these statutes, men still commit crimes. Our friends exclaim in unrestrained derision that notwithstanding your primary law corruption still lives—omitting to state the most important fact that though it still lives it stands exposed. Under the old system river franchises, agricultural colleges, Federal patronage, the people's interests in good legislation were exchanged and bartered and traded for Senatorships, and it was not so bad because it was done in the dark and seldom capable of proof. The old system was based upon the Machiavellian philosophy that that which is not known does not in fact exist. The new system is based upon the proposition that that which exists is bound to be known. When a vice must stand exposed its end is near, for be it said to the honor and glory of Christian America, our people will not long brook the exposed iniquities of injustice and wrong. If the cruelties of slavery could have been concealed it would have lasted a thousand years; its iniquities exposed it had to die. Corruption can not live under the primary system if men have the courage, as they will have, to punish those who stand exposed. A primary system accompanied with a corrupt-practice act will make it impossible to control our elections by the use of money. There is no way for corruption to escape exposure, and I repeat, exposure it can not endure. Senator STEPHENSON could have put a million into a caucus and brought his purchased parchment of election here and the chances would have been one in ten thousand that it would have ever been known—and unknown we would in our ignorance have regarded the hideous cancer eating away at the vitals of the Nation as health. But he put in a hundred thousand dollars, and even without an efficacious corrupt-practice act and with an attempt to destroy original memoranda the exposure is nevertheless complete, and the only thing now left to be determined is the judgment and the courage of the Senate.

The most remarkable plea against the primary is that it compels men to spend money—that it takes these hard-headed, shrewd, long-experienced business men and compels them, like Dick Turpin on the London Road, to stand and deliver. What a pathetic scene; how it moves the very bowels of pity to see this law operating upon these men of wealth, driving them against their wishes into all the ecstasies and excesses of reckless spendthrifts. I shall not embarrass him by exposing by name his virtues here, but I know of one Senator who holds a seat here who made a campaign at a primary for Senator in a large State against a man many times a millionaire, and he spent less than a thousand dollars and was nominated. And I need not stop with this Senator. I could multiply instances. If a man represents money in the race it will cost money to run. If he has nothing to give the people but money, then money he must give them. But if he represents some question of great moment, if he has something to say to the people upon a subject worthy of their attention, if he deals in ideas and issues instead of patronage and checks, he will win over all the money you can put into the fight. One of the very things for which I hold Senator STEPHENSON responsible in this campaign is that he entered the race with his bank account for his platform. He says himself that after he turned his financial agents

loose without limit as to the amount or as to the use he seldom went near headquarters and met the people in no public gathering, discussed with them no matter of great concern. His opponents made the mistake of permitting him to name the weapons or fix the rules of the game and he defeated them. My friend who made the race in another State fixed the rules of the game himself. He demanded an issue, made it, and won. Is there any wonder that there is always at work with the stubborn, fatal persistence of the glacier the determination to go back to the old system? But lay not that flattering unction to your soul, we are not going back.

They tell us that the primary has destroyed the party—that there was some virtue, some singular virtue, "the close contriver of all harms" in this old caucus system which held a great political party together. Nothing has been taken away under the primary system really except the power of the caucus. What was there wrapped up in this irresponsible force in politics which held in its keeping the life of our great political parties?

My friends, if it were true that our political parties had reached the point where, like other institutions in this country, they could not stand the sunlight of publicity, they would shortly die and the country would rejoice at their going. If it were true that policies and principles had ceased to hold the party together, if its members were no longer united because of their common faith in some great question of economics or government, of humanity or justice, the usefulness of party would be at an end and it ought not to be saved even if a caucus system of spoils and barter, of trade and dicker, could save it. For I assert that a more vicious, treacherous, subtle, venal influence never operated to the detriment of the people than the old caucus system in our politics.

Mr. HEYBURN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to his colleague?

Mr. BORAH. I do.

Mr. HEYBURN. For information I inquire whether or not the Senator has knowledge of any instance in which a majority of the voters expressed themselves at the primaries—and I make no exceptions. If my assumption is correct that it is only a minority that expresses itself at the primaries, then the proposition seems to be that of minority rule. I am not in favor of it. I do not know how the Senator would feel upon that proposition.

Mr. BORAH. I would rather have majority rule than minority rule, but if I have to have a minority rule I would like to get it as large as possible. I would rather have 190,000 voters in Wisconsin express themselves than to have 15 men in the back room of a dive controlling the whole situation.

Mr. HEYBURN. I am thoroughly in sympathy with that. I never did believe in back-room caucuses. The Senator himself knows that as well as I do.

Mr. BORAH. I am not going to discuss with the Senator what he believes and what I believe, except as it is called out by questions. But while it is claimed that the primary calls out only a minority vote, it always calls out thousands more than a caucus to express themselves. The beauty to some of the old system was that when a man dealt with a caucus the people did not know anything about it, and he could trade and deal and barter in any way he desired, while if he deals with the popular vote or if he expends his money in a popular campaign he must eventually be exposed, as this campaign shows.

Mr. HEYBURN. I have never been partial to caucuses, and I should be glad to eliminate them from our political system.

Mr. BORAH. I am glad the Senator discloses that much progress.

Mr. HEYBURN. I am not coming. I have always been there.

Mr. BORAH. I am sure if my colleague was ever there he is there still.

Mr. HEYBURN. The right of to-day is the right of all times. The right does not change with every season.

Mr. BORAH. That is true, but I would rather have my face to the dawn than always to the sunset.

Mr. HEYBURN. That is a very pretty sentiment, but a man who never looked at a sunset has missed a whole lot, in my judgment.

Mr. BORAH. I have seen the sun set more often than I have seen it rise. But it must be understood that my remarks in regard to the caucus were not personal. They were general. I know that my colleague would not have anything to do with so corrupting an influence in politics as an ordinary caucus.

Mr. HEYBURN. Oh, yes; I would.

Mr. BORAH. I was really inclined to believe if I stated the opposite of it my colleague would take the opposite side.

Mr. HEYBURN. It does not follow at all, because I do not believe in the kind of a caucus referred to by my colleague as being held in the back room of a saloon—was it?—that I am not in favor of Members getting together for consultation. I have heard of all sorts of vile things being done in a caucus, and I have known other instances where far different results came from them.

Mr. BORAH. So rare that history has seldom recorded it. But I presume that personal views in this body are of little worth on either side, so far as experiences are concerned.

But, Mr. President, I deny that the primaries have disorganized our parties. Did the primary system destroy the Federalist Party? It went to pieces even while the superlative genius of a Hamilton wrought in its behalf. No; the old Federalist Party became drunk with power, drifted away from the masses, and in the excesses of its inebriation forgot that this is a government of the many and not of the few, even though those few be endowed, as were the leaders of the Federalist Party, with unusual and superior powers. Did the primaries destroy the old Whig Party, led so long by Clay and Webster? No; the Whig Party lost its courage. It dared not announce a policy concerning the crime of slavery. It was without a plan. It was drifting upon the political sea. The countless millions in this country, plain people, were in advance of their leaders. The old Whig Party, rotting at the top, fell to pieces because it could not crystallize into a platform or into policies the restless moral forces of an aroused and determined people. Parties come and go, live and die. They come with a message, and they go when they cease to have a message. They live so long as they offer to the voters a concrete and constructive plan with which to deal with human interests and human welfare. They die when, abandoning all principle and all policies, they fall into a contest over position and power and engage alone in the personal rows of ambitious leaders.

Mr. HEYBURN. May I ask the Senator if he meant that possibly, in his judgment, the Republican Party has ceased to have a function to perform?

Mr. BORAH. Oh, no. The Republican Party is in favor of a primary. It is proceeding to do business in the right way and has a great future, I hope.

Mr. HEYBURN. Where is that Republican Party to be found that is in favor of a primary?

Mr. BORAH. Part of it is now in evidence.

Mr. KERN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. BORAH. I do.

Mr. KERN. I wish to suggest that it is to be found to-day in Indianapolis. [Laughter.]

Mr. HEYBURN. I did not know the Republican Party was in Indianapolis to-day. I had not read the afternoon papers.

Mr. KERN. There are two of them.

Mr. BORAH. The remains, I suppose, is all there will be left in the morning.

Mr. O'GORMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from New York?

Mr. BORAH. I yield.

Mr. O'GORMAN. Do I understand the Senator from Idaho to speak of the want of union and harmony in the two old parties? I was under the impression that there was only one divided party now, and it is divided into as many parts as Gaul had at the time of Cæsar's invasion.

Mr. BORAH. The Senator is not referring to his own party, I presume as—

Mr. O'GORMAN. I refer to the three fragments of the old Republican Party.

Mr. BORAH. I presume the Senator from New York would not be willing to confine the different parts in his party to the number three. I know of four, and they are all pretty good parts. I hope they will stay just as far apart as they are now.

I think the disorganized and wrangling condition of both the old parties is not difficult of diagnosis. It needs neither seer nor prophet to see the cause of the trouble or foretell the results if things are not changed. The greatest problem since 1860, if not since 1787, is the problem of restoring competition to the American market place. If competition is not to be restored then of devising some practical scheme of regulation and control which will lift from the backs of men the burden placed there through extortion and fraud. You can postpone and compromise, you can side-step and trim, but this question is here, and it will have to be settled and settled right. The people understand perfectly that this question is here and they see nor hear of no intelligent plan to solve it. The sons of the sturdy men who sat restless about the American hearthstone in the

fifties waiting for that strange voice laden with sympathy but firm in tone, the voice from the prairies of Illinois—not from the cities or colleges, but from the open field where men mingle their thought with their labor—are now waiting for some one who will submit a plan and announce a faith. If you want men to take part in politics give them something to fight for, some intelligent, concrete proposition which they can get hold of and in which they can believe. You can buy a few of the people at any time, but you can not buy all the people any of the time. If you want them to march as they marched of old then give them the clear and distinct issues as of old. What are we doing with these questions? Both parties are drifting. Let me tell you that the political party which gives to the people the clear and definite policy in its platform in the next campaign upon the proper regulation and control of these forces which now control prices and puts upon the platform a man whose character is a guaranty that the pledge made will be kept will win—it is immaterial under what name or under what banner the announcement is made—it will win.

I hope to see and I believe I will see the party of which I am a member take advanced grounds on this question.

But we are told, let us revise the tariff—that is the way to get relief. Let us assume for the sake of the argument that our protective tariff policy is wrong; let us assume for the sake of the argument that a tariff for revenue is indeed the proper tariff. Or let us go the limit and assume that this miserable mongrel and contemptible subterfuge, protection for the manufacturer and free trade for the producer—free raw material—protection for the East and an open market for the West—let us take this modern theory, which turns Mason and Dixon line north and south instead of east and west, let us assume that even that is respectable. What relief are the people going to get if the American market place is in the absolute control of a power which fixes prices?

They said to us western people during the Payne-Aldrich bill discussion, If you will put hides upon the free list we will give you cheaper shoes. We were then realizing \$2,000,000 per annum on hides in the way of revenue. We put hides on the free list. Shoes went up, hides went down, and we lost the \$2,000,000 revenue, which the people must make up in some other way.

Not a single article on which the tariff was reduced fell in price. Not a single article placed on the free list fell in price. If you take off all the duty and it does not lower the price, will some tariff expert tell me how much duty you will have to take off in order to lower the price? The combinations took up every cent of the millions of revenue which we lost. The first and prime duty is to clear the market place of these combinations and take away this power to extort prices, and until we do so we will but trifle with the rights of the people.

Mr. President, we have noticed in this country for years that the voters do not go to the polls either upon election day or at the primaries. It is an extraordinary condition of affairs when the great State represented by the distinguished Senators from New York leave 100,000 of the best citizens at home the day we elect a ruler for this great Nation. There must be some reason for it aside from the fact that Idaho or a few States have a primary.

The fact is, Mr. President, that the people do not feel that the issue is so presented that by taking part they can accomplish anything; they feel that it is a sham battle as to both parties.

Mr. HEYBURN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to his colleague?

Mr. BORAH. I yield.

Mr. HEYBURN. Will the Senator permit me to ask him a question, he having made the remark in regard to Idaho having a primary? Does not the Senator know that Idaho has a primary for the same reason that sometimes you let a child touch a hot stove, in order to convince it that it is hot? Does he not know that the men who gave Idaho its present ridiculous primary law did it in order to satisfy by experience the clamor of a lot of men who did not belong to the Republican Party and were willing to do anything that would create discord in it? Idaho will not have a direct primary after the passage of the campaign in which the Senator will be interested. No one proposes to disturb it during that campaign, but that will be the last of it. We will then see no direct primary.

Mr. BORAH. I do not know of a higher compliment one Senator could pay to another than that which my distinguished colleague has paid to me. I said once before on the floor of the Senate I would not have been here if we had not had in effect a primary, and I would not expect to return if we did not have it. I am, as I must be permitted to say, since the matter has

been made so personal, distinctly proud of the fact that in order to return I must rely on a popular vote.

The PRESIDING OFFICER. Does not the Senator from Idaho yield to the Senator from Georgia?

Mr. BORAH. I yield.

Mr. BACON. I should like to divert for a moment the attention of the honorable Senator from his direct line of argument to a word which fell from him which did not entirely comport with what I understand to be generally his views, and I want to know whether it was accidental or premeditated. I should like to ask the honorable Senator what officer of this Government he considers to be the ruler of the country. The Senator said that 100,000 men in New York had abstained from going to the polls when a ruler of this country was to be elected. I want to know what officer that is. Wherever there is a ruler there must be subjects of that ruler.

Mr. BORAH. Of course, the Senator knows that I used the word ruler in a different sense from that in which he now is using it. Yet I am not sure but what as time goes on we may take on a little more of what constitutes a ruler. I shall regret it, but that is one of the things which may come.

Mr. BACON. I quite recognize that, and it was that apprehension which made me a little jealous of the expression of the Senator, knowing his views generally, as I think I do, that he should use such an expression in connection with any officer connected with the American Government. I do not think that we have any ruler, and I do not think that the term ought to be applied to an officer of this Government, even unguardedly. For that reason I took the liberty of interrupting the honorable Senator to make the inquiry of him whether he really thinks there is any officer of the American Government who should be called a ruler.

Mr. BORAH. Mr. President, perhaps I was led on by what is known in these days as the subconscious influence upon consciousness. [Laughter.]

Mr. BACON. I accept the Senator's explanation. [Laughter.]

Mr. BORAH. But I was reading some time ago a remarkable statement by the great English commoner, John Bright. He used that term in connection with our President, and possibly it was that subconscious influence. While I am upon that subject, if the Senator will permit me, I desire to quote a single line or two from the great English commoner in order to escape if possible from the dilemma in which the Senator from Georgia seems to have placed me. John Bright, in referring at one time to our presidential election, said:

Every four years there springs from the vote created by the people a President over that great Nation.

I think the world offers no finer spectacle than this; it offers no higher dignity; and there is no greater object or ambition on the political stage on which man could be permitted to move. You may point, if you will, to hereditary rulers, to crowns coming down through successive generations in the same family, to thrones based on prescription or upon conquest, to scepters wielded over veteran legions or subject realms; but to my mind there is nothing so worthy of reverence and obedience, nothing more sacred than the authority of the freely chosen by the majority of a great and free people; and if there be on earth and among men any right divine to govern, surely it rests with a ruler so chosen and so appointed.

It was in that sense I used the word "ruler."

Mr. BACON. I suppose, Mr. President, that the honorable Senator means that as the people of this country are the rulers, and that the man who as the Executive represents the one hundred million who thus rule themselves, occupies a very high and honorable position, than which there is no higher; and in that sense I will be glad to accept it, but not in any sense which will attach to the office the power to rule as it has always been understood in times of kings and autocrats.

Mr. BORAH. Mr. President, I will simply say to the Senator that the discussion may close without any doubt, I hope, that I do not believe in a "beneficent despot."

Mr. BACON. I was a little afraid the Senator was rather using the language in the apprehension of what might be in the near future.

Mr. BORAH. I think in all probability that is liable to happen, so far as the nomination of the gentleman is concerned to whom the Senator from Georgia is now referring. I hope it will at least.

Mr. BACON. I sincerely hope the Senator will be disappointed in that regard.

Mr. HEYBURN. May I ask the Senator—

The PRESIDING OFFICER. Does the Senator from Idaho yield to his colleague?

Mr. BORAH. In just a moment. I must be permitted to say before we pass from this subject that every time one of my good Democratic friends refers to a certain party in this country as a candidate for President he assumes that, if nomi-

nated, he is going to be elected in spite of anything that may be done to prevent it.

Mr. BACON. If the Senator will pardon me a moment, I want to say that I had not mentioned parties before.

Mr. BORAH. That is another case of subconsciousness. [Laughter.]

Mr. BACON. While I in a measure criticized the use of the word "ruler" by the Senator I very highly appreciate the very great compliment he paid immediately theretofore to the Democratic Party when he said that a party only came when it had a message to deliver, something to accomplish, and when the time passed when it had no message to deliver the party disappeared. That was certainly a very high encomium on the Democratic Party which, among all other political mutations, has survived more than a hundred years in spite of long-continued defeat.

Mr. BORAH. The Senator is a distinguished member of a great party, but it has not delivered a message within 50 years. [Laughter.] I hasten to admit it has earnestly endeavored to do so.

Mr. BACON. I want to say to the honorable Senator and to the Senate that it has continued to deliver a message, and that it has for a hundred years and more been faithful to that message. Although it has had, except for a brief period, no patronage to give out during 50 years in order to keep its adherents faithful to its organization, it has continued to deliver a message, and in spite of defeat it is delivering a message to-day, the great message of the right of every man in this country to equal opportunities, and that there shall be special privileges to none. And that message the Democratic Party will continue to deliver, however long the Senator from Idaho may close his ears to it.

Mr. BORAH. Mr. President, in respect to the message just now delivered by so prominent a member of the Democratic Party, I agree with it most heartily. The trouble is that it seems the majority of the American people do not hear the message when it is thus delivered.

Mr. BACON. That is their mistake, which they are beginning to realize.

Mr. BORAH. I am not going to deny that just now. I want my friend to enjoy for a season the pleasure.

Mr. HEYBURN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to his colleague?

Mr. BORAH. I yield.

Mr. HEYBURN. There are two things that an inadvertence caused me to lose. First, I did not catch the name of the gentleman referred to by my colleague, and probably the same gentleman was referred to by the Senator from Georgia in speaking of the future.

Mr. BACON. Mr. President, we are unable to hear on this side.

Mr. HEYBURN. I did not catch the name. My attention was distracted. Would the Senator mind repeating or stating the name?

Mr. BORAH. I did not state the name. I did not want to cause a demonstration here by mentioning a name which was liable to excite such risibility in the galleries, and so forth. But I had reference, of course, to Col. Roosevelt.

Mr. HEYBURN. I supposed so. Now, if the Senator agrees with the Senator from Georgia that a great message has come to the people, would he object to having that message read as a part of his remarks or made an appendix to his printed speech that may possibly be sent out?

Mr. BORAH. I am perfectly willing that any message the Senator from Georgia delivers shall go into my speech. It would grace it and strengthen it.

Mr. HEYBURN. I assume there is some visible message that has been sent by somebody somewhere.

Mr. BACON. We are rather unfortunate on this side of the Chamber. The Senator had his back turned to us and we could not hear him; but we suppose he was talking to his colleague something about Col. Roosevelt.

Mr. HEYBURN. No; I was not. I was only making an inquiry.

Mr. BORAH. Mr. President, I desire to go back by way of diversion to the subject matter under discussion. There has been so much said in the Senate Chamber and elsewhere about the disorganized condition of both our parties, that I was going to make a suggestion with reference to it which I prefer to conclude rather than to let it go unsaid.

Of course, the contention is made by those who are opposed to the primaries and such means of securing popular judgment that the condition of parties at this time is the result of these laws, but as I view it, the conditions politically are not

a result of primary laws or of any matters which might be considered as kindred to them. The condition results from the fact, in my judgment, that we have not ourselves, either in one or the other party, agreed upon a policy with reference to those things about which the American people are constantly thinking.

Now, Mr. President, just a few words on another feature of this question, and then, having been detained and having detained, I will close without discussing in detail some court decisions which I had intended to discuss.

Mr. President, the facts in this case have been so thoroughly discussed by the Senator from Kansas [Mr. Bristow] and by the Senator from Iowa [Mr. KENYON] and other Senators that I am not going to take long in the discussion of them. But I want to say a few words in the way of application of the facts to the legal principles which I stated in the beginning of my remarks.

In the first place the Senator elect put \$107,000 into this campaign. That money went into the campaign inside of about 60 days. One hundred and seven thousand dollars naturally excites inquiry or arrests our attention, and we begin to ask at once, "What use was made of such a large sum of money?" I do not say that the putting of \$107,000 into the campaign would of itself raise such a presumption that you would be warranted in drawing a conclusive judgment against the Senator. I do not wish to take that position. But it must be conceded that if that amount is brought to the attention of anyone he naturally and at once inquires what use could have been made of it. The amount is such that you at once conclude that it could not have been legitimately used in that time. Secondly, what was the purpose of putting so large an amount in the campaign? What did the one who put it in the campaign understand the probable effect of it would be? Why was it expended, and what did they understand would be the result of the expenditure?

It was not a campaign of public discussion such as the Senator from New York [Mr. Root] intimated was going on and the expenses of which had to be paid. It is not unfair to say, because the record bears it out, that the Senator entered the campaign with a determination to win it through the influence of money. He says himself that after he turned his financial agents loose without any limit upon the amount or any direction as to the use he gave little attention to the election. He went about his business, expecting and believing that his money and his agents would control the primary. He placed this large amount of money at their disposal with the understanding that his agents should control that election. That was just as much an understanding upon the part of the man who put the money into the coffers of those who were doing the work as if it were written in this record, "I instruct you to go out and get this primary." Furthermore, there was no limit upon the amount which was to be used. It was not a question of money; it was a question of getting a result by means of the use of money.

I maintain that that of itself placed the Senator in a position where from that time he must disclose to the satisfaction of this record and of the Senate that the money was used in a legitimate way.

Now, what is the result? In the first place, one of the things which was put forward in the record as a defense upon the part of the Senator—and in the very beginning of the hearing—was, "I gave them \$107,000, but I do not know what went with it nor what they did with it." I undertake to say that, as a matter of morals and bearing directly upon this matter, he is not permitted to say to this body, "I do not know how this money was expended." There must be an accounting for it. I said a while ago that there were some settled rules in regard to these matters, which, if we would apply, would be controlling and enable us to arrive at a just and righteous conclusion. Where this large amount of money is put into the campaign I maintain it devolves upon the Senator to show that it was used in a legitimate manner.

Mr. HEYBURN. Mr. President—

The PRESIDING OFFICER pro tempore. Does the Senator from Idaho yield to his colleague?

Mr. BORAH. I yield.

Mr. HEYBURN. Will the Senator permit me to call attention to the rule which was established by the committee, and see whether or not it meets with his approval? I read from page 281. Mr. Littlefield, who was representing Senator STEPHENSON, challenged a statement made by the chairman in regard to the presumption, and said:

Then the presumption of innocent expenditure does not follow the item.

The CHAIRMAN. The presumption of innocence does not enter into the question at all. The expenditure being challenged as to its legality, there is no presumption that money expended in connection with an individual campaign by a candidate for office is rightfully expended after it is challenged in an official way.

The line was drawn there. Community talk that the money had been wrongfully expended does not put the party to proof, but we were confronted with the challenge that came here under the seal of the State of Wisconsin and the signature of its governor, and that was the rule laid down and the rule followed by the committee in this case.

Mr. BORAH. But the large amount put into the campaign did not stand alone. In the first place, as I have already called attention to the fact, he does not seek to control the use of it. In the second place, the sitting Member can not account for the use of it. The agents can not say to us what they did with it. They are not in a position to explain how it was used. It is not alone that he refuses to be responsible for its use, but his agents themselves are unable to account to the committee as to the manner in which the money was used.

Thirdly, the memoranda showing the manner in which this money was used were destroyed. The evidence, which should have been kept with vigilance and with care, is not only permitted to be lost, but the testimony, in my judgment, shows that it was willfully destroyed. Upon what theory was the destruction had? What could be the motive if the money had been legitimately used? It must have been a consciousness upon the part of those who had expended it that the memoranda, if kept, would be conclusive proof as to the manner in which the money was used. One of the strongest evidences of guilt in any transaction is the fact that the party destroys the evidence which, if in existence, would prove his innocence, or, on the part of the public, if in existence, would prove his guilt.

It does not seem to me that the distinguished Senator who has preceded me is permitted to leave this before the Senate with the naked fact that \$107,000 was expended and that we are not permitted to draw a definite conclusion from that fact. There are, in addition, the surrounding circumstances and environment, the method of dealing with this great fund and of dealing with the evidence, all disclosed in this record. Will the Senate of the United States pass over a record which discloses the putting of a bank into a campaign, the destruction of evidence, the refusal to account for the use of the money, or to direct its use as one of the instances which has been referred to by the Senator from New York as creating no presumption against the claimant for the seat? Not only the memoranda but the original records are gone. They were carried out of the State; they were placed beyond the control and jurisdiction of the legislature, secreted, hidden away.

Here is another significant fact: A bank was made financial agent; no check books were used; no bank account opened. These men were given the money. It was not a case of checking against an account, where the checks might be gotten hold of and disclose to whom the money went, and so forth; but these bankers there seemed to have had a fund which they used, and used in such a way as to conceal all records as to the manner of use. Every precaution was taken to cover the tracks of those who were making use of the money.

Mr. President, if they had been using this money for legitimate purposes, they would have been just as active to keep a record of that legitimate purpose. If they had spent the money for cigars, for writing letters, for brass bands, paying for public halls, and for the things which are at least quasi legitimate in a campaign, they would have industriously preserved the record of that fact that there might be no question as to how the money was used; but, in my judgment, the moment the records disappeared, the bank account being unkept, the facts being in such a condition that no human being can state how this fortune went, there immediately devolves upon the sitting Member the responsibility of explaining to the Senate what became of it. Part of this money was given to members of the legislature. Three members of the legislature, who were necessary to a choice, if we consider Senator STEPHENSON's election to have taken place the second time the vote was taken, received a part of this fund.

We have had the argument here—I do not desire to be understood as being personal—that these members of the legislature could take a part of this corruption fund and put it in this pocket for Mr. STEPHENSON and keep the money in their other pocket for the electorate who was voting for them and not feel under any obligation or influence or be controlled in any wise by that fund.

To what sophistry will we resort in order to excuse men who impeach themselves and place themselves beyond the pale of confidence by admitting that they took the money of a candidate for the United States Senate when they were candidates for the legislature? These three members were actively co-operating all the time with the forces which were controlling the electorate and had the money in their pockets which was

a part of the corruption fund. Do you suppose that these men stood free, unbiased, and unprejudiced as voters in that legislative body under those circumstances? Must we bring into the Senate the members of the legislature and have them admit that they were controlled and influenced by the use of money? If we do, Senators would immediately say that those men were unworthy of belief because they are confessed bribe takers, and we would be no better off than before. That is the record already before the Senate.

No arrangements were made for an itemized statement. There is not, to my mind, a single act upon the part of those who expended this money that can be harmonized with the belief or consciousness upon their part that they were using it legitimately. As to the manner in which they used it, paying it to individual voters, carrying them to and from the polls, and paying them for their time, the different methods by which they explain it, and so forth, that has already been discussed at such length that I shall not discuss it further.

I only want to say in concluding that if we find, as stated by the Senator from Utah and the Senator from Ohio and admitted, as I understand, to be the law by the Senator from New York, that when the primary is influenced and controlled by the use of money it may be inquired into for the purpose of rendering invalid the act of election in the legislature, then there is only one question here for us to determine, and that is whether or not this money wrought any influence upon the electorate which elected that legislature. There is only one proposition left for us to determine, if that legal proposition be admitted, and that is whether you can put \$107,000 into that kind of a campaign and expend it in the manner in which it was expended, refuse to account for it, or to show its legitimate use, without the presumption that there was a corrupt influence operating upon the electorate body.

Mr. President, this is a serious matter. If we fail here to keep representative government clean and wholesome, how can we hope to preserve it? If there could ever come a time when association and friendship might warrant leniency in dealing with those who bring representative government into reproach, it is not now. Harsh and severe must be the judgments rendered against those who add weight to the charge that representative government is no longer in fact representative. These are times when men who will do or connive at the doing of those things which impeach representative government must be put aside as disloyal to the supreme obligations of the hour. Representative government, as it measures up in integrity and faithfulness to the conception and purpose of the fathers, is the wisest and most beneficent of all governments heretofore conceived or hereafter to be devised, and I confess that men who are indifferent to its worth or negligent of its preservation, men who for their own selfishness would discredit and debauch it, arouse in me a feeling of resentment akin to loathing. Men who buy votes or make it possible for others to corrupt the electorate and thus impeach and challenge our whole system of government, thus give credence and weight to the charge that it is breaking down, thus destroy the confidence of the people at large in the work and efficiency of our institutions, are not entitled to our protection here; they are not entitled to protection anywhere. They must take their place among those recreant to the highest obligations which can be imposed upon a man by his country. They are the real enemies of representative government. It is through their efforts that it will break down, if it does break down. I care nothing for the open, for the avowed advocate compared with the insidious, treacherous minor and sapper, working by day and by night under the very pillars of the Government. Others will do as their conscience dictates, but to my mind this evidence shows both the act and the intent, shows both the purpose and the accomplishment of the purpose, shows the plan to secure the seat here solely and wholly by the influence and use of money. And so believing, I must cast my vote in favor of declaring the seat vacant.

Mr. HEYBURN. Mr. President, inasmuch as certain Senators have given notice of their intention to speak, I do not ask for a vote now; but I desire at this time to ask unanimous consent that on Wednesday, the 27th of March—the calendar day which will be the equivalent of that—the Senate commence to vote upon the pending resolution and all amendments or substitutes without further debate.

Mr. SMOOT. What hour?

Mr. HEYBURN. Not later than that time.

Mr. ROOT. But what hour?

Mr. HEYBURN. I will say at 4 o'clock.

Mr. BACON. If I may be pardoned for a suggestion to the Senator, we have already made a unanimous-consent agreement that we shall vote on this legislative day, and now, as I under-

stand the Senator, his proposition is to change that unanimous-consent agreement to vote on the next legislative day?

Mr. HEYBURN. No; the equivalent time. I have not thought out a plan to express it, unless I should enumerate the hours that intervene. I might say "after so many hours," but by reference, for the convenience of expression, I have stated it upon that day. If any Senator can suggest any more accurate or preferable way of expressing it, well and good.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Massachusetts?

Mr. HEYBURN. Yes.

Mr. LODGE. We made a precisely similar agreement in voting upon the arbitration treaties, namely, that the vote should be taken not later than 4 o'clock on a given calendar day. That does not interfere with the legislative day.

Mr. BACON. No; I only made a suggestion. While I have no objection to the purpose the Senator has in view or to its accomplishment, I only made the statement in view of what, if I understood it correctly, I was afraid was inconsistent. I have no objection to the accomplishment of the Senator's desire, and that is, that we shall vote to-morrow.

Mr. LODGE. Yes, that is right; let us vote to-morrow. The question can be put in that way just as well.

Mr. HEYBURN. We can state it in that way. Then I ask unanimous consent that not later than 4 o'clock to-morrow—yet that is just as objectionable technically—the Senate commence to vote upon the resolution and amendments.

Mr. LEA. Mr. President, there are several of us on this side of the Chamber who want to speak on this question, and therefore I should not like to agree to set the hour definitely for a vote by 4 o'clock to-morrow.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Massachusetts?

Mr. HEYBURN. Yes.

Mr. LODGE. I should like to suggest to the Senator from Tennessee and to others that, if we can not fix an hour, it may result in our sitting here until very late to-morrow night, because we have another unanimous-consent agreement for Thursday. It seems to me it would be for the convenience of Senators to agree to some reasonable hour to-morrow to take this vote. We can take a recess until an earlier hour to-morrow and allow time for every Senator who so desires to speak; but I think we ought to make sure that we shall not come in conflict with the other unanimous-consent agreement for Thursday.

Mr. CUMMINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. I will yield in a moment. I want to complete the suggestion I was making. It would be well to dispose of this, because then we shall be in a position to consider the time we shall remain in session. If it is not possible to get an agreement, then I shall have to ask the Senate to sit continuously, because Senators have expressed their desire to speak, and they are entitled to consideration. Therefore, to state it concisely, my request is for unanimous consent to commence voting at 4 o'clock to-morrow. If we agree upon that, we shall then take up the consideration of how long we shall remain in session, and perhaps have a session to-night, and perhaps meet to-morrow at 10 o'clock, if Senators think that much time will be necessary in order to meet the situation which confronts us—that is to say, another special order.

Mr. CUMMINS. Mr. President, in my opinion, the unanimous consent asked for infringes upon the unanimous-consent agreement under which we are acting. I do not intend to raise that point, but before consenting to naming an hour for the taking of a vote, I should like to be informed with some accuracy with respect to the number of Senators who desire to speak and about how long a time they desire to occupy. I intend at some time before the debate is over, if the spirit moves me, to say a few words upon the question, but I do not desire to intrude myself into the debate to the exclusion of Senators who are members of the committee and who have given great consideration to the subject. I simply want some information with regard to the probability of the length of the debate before I will consent to the naming of an hour for a vote. Does the Senator from Idaho know, approximately, the number of Senators who desire to speak?

Mr. HEYBURN. Only in a general way, but I will say the consideration of that question perhaps will come up more properly in connection with the determination of the hours that we shall sit.

Mr. LEA. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Tennessee?

Mr. HEYBURN. Yes.

Mr. LEA. There are at least four Senators on this side of the Chamber who desire to speak. If the Senator from Idaho will pardon me, I will suggest that if the Senator will frame his request so that the vote will be taken not later than 6 o'clock to-morrow, the 27th of March, and a recess will be taken until noon to-morrow, I will not object.

Mr. HEYBURN. I have no objection to yielding to that suggestion. The difference between 4 o'clock and 6 is not very considerable. It will take an hour to vote, or I assume it will take that long if a roll call is demanded upon all the substitutes.

Mr. CUMMINS. I did not hear the suggestion of the Senator from Tennessee with respect to the time at which we shall convene to-morrow.

Mr. LEA. At noon to-morrow.

Mr. CUMMINS. And vote not later than 6 o'clock?

Mr. LEA. Not later than 6 o'clock.

Mr. HEYBURN. I will suggest that we meet at 10 o'clock to-morrow.

Mr. CUMMINS. There are four Senators upon the other side of the Chamber who desire to be heard?

Mr. LEA. There are at least four.

Mr. HEYBURN. How many are there on this side?

Mr. CUMMINS. I think those who desire to be heard ought to make it known, so that we may act in this matter intelligently.

Mr. SUTHERLAND. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. Certainly.

Mr. SUTHERLAND. I desire, before the vote is taken, to be heard briefly on this subject. I do not want to take very much time. I think I can get through with what I want to say in an hour. I suggest, if such an arrangement can be made, that we provide that Senators who are for and against the resolution may be heard alternately, so that if we finally reach the hour of voting some of those who are in favor and some of those who are against may not be deprived of the opportunity of being heard.

Mr. HEYBURN. I should like to know if we have had a full expression on this side as to the number of those who desire to speak.

Mr. KENYON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. Certainly.

Mr. KENYON. I simply wanted to suggest that the Senator from Washington [Mr. POINDEXTER], who is not now present, expects to be heard.

Mr. WORKS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from California?

Mr. HEYBURN. Yes.

Mr. WORKS. I wish to state that I may or may not desire to say a few words. For the motion of the Senator from Idaho I have offered a substitute, which is now on the table, but as another substitute has been offered for the resolution of the committee, it may not reach a vote. If I do speak, I will not consume more than 15 or 20 minutes at the outside. I want to suggest in this connection that it seems to me that it would be better to take a recess until 10 o'clock to-morrow rather than until 12 o'clock.

Mr. CUMMINS. I think it is evident from the number of speeches already on the program that we can not expect to have them finished within the time that has been suggested—that is, between the hours of 12 and 6, unless Senators will agree to limit themselves a little.

Mr. ROOT. Mr. President, would it not be wise for us to go on this afternoon a little further? We may dispose of some of these speeches in that way. We have been in session now only three hours. I know part of the discussion has been wearisome, but we are laying out a program now that seems to contemplate an abandonment of the discussion after three hours to-day and taking eight hours to-morrow. We shall all be very tired before eight hours of discussion of this case is over to-morrow. The speeches to be made in the latter part of that time will be addressed chiefly to the Record, I think, and it seems to me that we had better go on and dispose of some part of the proposed observations to-day.

Mr. HEYBURN. I only had in mind an embarrassment which would probably arise within a very few minutes, perhaps, of

some one suggesting to take a recess, and I wanted to anticipate it. Personally, I should be in favor of continuing this debate until the vote is taken, but I do not desire to insist upon an uncomfortable rule.

The PRESIDENT pro tempore. As the Chair understands, there is no suggestion pending that the Senate now take a recess. The Senator from Idaho has asked unanimous consent that a certain agreement be entered.

Mr. HEYBURN. I ask that the Chair put the request for unanimous consent to meet at 11 o'clock to-morrow and to vote at 6. I think the objections have been withdrawn.

Mr. BRISTOW. Mr. President—

The PRESIDENT pro tempore. Will the Senator from Kansas allow the Secretary to state the request as the Chair understands it?

Mr. LEA. Do I understand the Senator from Idaho to put the hour for voting at not later than 6?

Mr. HEYBURN. Yes.

Mr. LEA. Very well.

The PRESIDENT pro tempore. The Secretary is attempting to reduce to written form the suggestion of the Senator from Idaho. The Secretary will state the request.

The Secretary read as follows:

"It is agreed, by unanimous consent, that when the Senate takes a recess it shall be to meet at 11 o'clock to-morrow; that not later than 6 o'clock to-morrow the Senate will consent to vote upon the motion made by Mr. HEYBURN, that the Senate agree to the report of the Committee on Privileges and Elections declaring that in the opinion of the said committee the charges preferred by the Legislature of the State of Wisconsin were not sustained, and that the election of the said ISAAC STEPHENSON as a Senator of the United States was not procured by corrupt methods or practices, and upon any amendment that may then be pending or offered to such motion, and will continue such voting until the question is finally disposed of."

Mr. HEYBURN. I suggest that the word "substitute" be inserted, as there is one of the amendments that is termed "a substitute."

The PRESIDENT pro tempore. That will be included in the word "amendment."

Mr. HEYBURN. Very well.

Mr. BRISTOW. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. HEYBURN. Yes.

Mr. BRISTOW. I am in sympathy with the suggestion of the Senator from New York [Mr. Root]. I think we ought to go ahead now and debate this matter until it gets late, and then we can take a recess until an early hour to-morrow and get through. We have consumed enough time now in trying to fix some hour for voting to have had one of the proposed speeches made. I will have to object to the request for unanimous consent.

The PRESIDENT pro tempore. The Chair will state to the Senator from Kansas that the request for unanimous consent just preferred by the Senator from Idaho does not contemplate a recess at the present time, but only provides that when the Senate takes a recess it shall be until 11 o'clock to-morrow. There is no present suggestion of a recess.

Mr. BRISTOW. The purpose is, I know, to take a recess as quickly as possible after this agreement is entered into, and then we will drag along until late to-morrow afternoon, when we will be confronted with amendments and substitutes which we will have no opportunity to understand before they are voted upon.

Mr. HEYBURN. There is no such intention. I contemplate that a considerable time will be used this afternoon in speaking.

The PRESIDENT pro tempore. It will be for the Senate to say whether it desires to take a recess now or later.

Mr. HEYBURN. I shall not move to take a recess now. I hope the Senate will continue in session, and I shall ask that it continue in session until late to-night, unless we reach an agreement.

The PRESIDENT pro tempore. The Secretary has stated the request for unanimous consent preferred by the Senator from Idaho. Is there objection? The Chair hears none, and the order is entered accordingly. The question is—

Mr. BRISTOW. Mr. President, I entered an objection to that request for unanimous consent.

The PRESIDENT pro tempore. The Chair did not hear the Senator.

Mr. BRISTOW. I did object most emphatically, and the RECORD will show it.

The PRESIDENT pro tempore. The Chair will state that he understood the Senator from Kansas to say that he did not object.

Mr. BRISTOW. Oh, no.

The PRESIDENT pro tempore. Then, of course, the request for unanimous consent is not agreed to. There is objection to the request.

Mr. ROOT and others. Regular order!

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Washington [Mr. JONES] to the motion offered by the Senator from Idaho [Mr. HEYBURN]. [Putting the question.] In the opinion of the Chair, the "noes" have it.

Mr. BACON and Mr. STONE. What is the motion?

The PRESIDENT pro tempore. The question—

Mr. HEYBURN. Has the Chair announced the vote?

The PRESIDENT pro tempore. The Chair stated the question to be upon agreeing to the amendment proposed by the Senator from Washington [Mr. JONES] in the nature of a substitute for the motion proposed by the Senator from Idaho [Mr. HEYBURN].

Mr. STONE. We should like to have the question stated.

The PRESIDENT pro tempore. The Secretary will state the amendment in the nature of a substitute proposed by the Senator from Washington.

Mr. HEYBURN. Now, Mr. President, let that question be stated; but I understand that the Chair put the question on the adoption of the report of the committee.

The PRESIDENT pro tempore. No; the Chair put the question upon agreeing to the substitute proposition of the Senator from Washington, and the Senator from Idaho voted "no."

Mr. CUMMINS. I understood there was only one vote either way, and that was for the substitute.

The PRESIDENT pro tempore. As the result was being announced the question was raised as to what the motion was upon which the Senate was voting. The Secretary will again state the amendment in the nature of a substitute proposed by the Senator from Washington.

The SECRETARY. On February 19, 1912, Mr. HEYBURN moved that the report of the committee be adopted and that ISAAC STEPHENSON be declared entitled to a seat as a Senator from the State of Wisconsin in the United States Senate. On March 22, 1912, Mr. JONES offered the following as an amendment in the nature of a substitute for the motion made by Mr. HEYBURN, namely:

Resolved, That ISAAC STEPHENSON was not duly and legally elected to a seat in the Senate of the United States by the Legislature of the State of Wisconsin.

Mr. HEYBURN. Now, Mr. President, I do not desire any inconsistent record in connection with this matter. I understood the Chair to say: "If there is no further discussion, the question is upon the adoption of the motion of the Senator from Idaho," and upon that I voted. I did not vote upon anything else, and I do not care to have the RECORD—

The PRESIDENT pro tempore. The Senator from Idaho misunderstood the Chair. The Chair stated the question—

Mr. HEYBURN. Then the RECORD should be corrected as to the vote.

The PRESIDENT pro tempore. Of course, the explanation of the Senator goes into the RECORD, and the RECORD stands corrected.

Mr. HEYBURN. That is true; but I am entitled to have it in uninterruptedly, because of the misunderstanding between the Chair and myself, and not to have it afterwards made the subject of controversy.

Mr. CULBERSON. I move that the Senate take a recess until 11 o'clock to-morrow.

The PRESIDENT pro tempore. The Senator from Texas moves that the Senate stand in recess until 11 o'clock to-morrow morning. The question is on that motion. [Putting the question.] In the opinion of the Chair the "noes" have it.

Mr. CULBERSON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. I transfer it to the Senator from Oklahoma [Mr. OWEN] and will vote. I vote "yea."

Mr. BURNHAM (when Mr. GALLINGER's name was called). My colleague, the senior Senator from New Hampshire, is paired with the senior Senator from Arkansas [Mr. CLARKE].

Mr. GAMBLE (when his name was called). I have a general pair with the junior Senator from Arkansas [Mr. DAVIS]. I

transfer it to the junior Senator from Vermont [Mr. PAGE] and will vote. I vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from California [Mr. PERKINS]. I do not see him in his seat, and therefore withhold my vote.

Mr. CURTIS (when Mr. PAGE's name was called). I have been requested to announce by the junior Senator from Vermont his absence from the city as a member of a committee of the Senate.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). The senior Senator from Michigan is out of the city on business of the Senate.

Mr. STONE (when his name was called). I desire to inquire whether the Senator from Wyoming [Mr. CLARK] has voted?

The PRESIDENT pro tempore. He has not voted.

Mr. STONE. I have a general pair with the Senator from Wyoming, which has been transferred to the senior Senator from Virginia [Mr. MARTIN], and I will vote. I vote "yea."

Mr. LEA (when Mr. TAYLOR's name was called). The senior Senator from Tennessee is detained from the Chamber by illness.

Mr. WATSON (when his name was called). I transfer my general pair with the senior Senator from New Jersey [Mr. BRIGGS] to the junior Senator from Louisiana [Mr. THORNTON] and will vote. I vote "yea."

The roll call was concluded.

Mr. WARREN. I desire to state that my colleague [Mr. CLARK] is absent on business of the Senate. He is generally paired with the Senator from Missouri [Mr. STONE].

Mr. BACON (after having voted in the affirmative). I have a general pair with the Senator from Minnesota [Mr. NELSON] during his present absence. I forgot the fact and voted. I withdraw my vote.

Mr. BURNHAM. I have a general pair with the Senator from Maryland [Mr. SMITH], but having been released therefrom I will vote. I vote "nay."

Mr. CULBERSON (after having voted in the affirmative). In view of my general pair with the Senator from Delaware [Mr. DU PONT] I withdraw my vote.

Mr. FOSTER. I wish to state that my colleague [Mr. THORNTON] is absent on business of the Senate.

The result was announced—yeas 17, nays 36—as follows:

YEAS—17.

Bourne	Johnston, Ala.	Pomerene	Stone
Bryan	Martine, N. J.	Rayner	Watson
Chamberlain	Newlands	Simmons	
Foster	O'Gorman	Smith, Ga.	
Gardner	Percy	Smith, S. C.	

NAYS—36.

Bradley	Crane	Hitchcock	Nixon
Brandegee	Crawford	Johnson, Me.	Richardson
Briggs	Cullom	Kenyon	Root
Bristow	Cummins	Lea	Smoot
Brown	Curtis	Lippitt	Sutherland
Burnham	Gamble	Lodge	Townsend
Burton	Gore	Lorimer	Warren
Chilton	Gronna	McLean	Wetmore
Clapp	Heyburn	Myers	Works

NOT VOTING—38.

Bacon	du Pont	Oliver	Smith, Md.
Bailey	Fletcher	Overman	Smith, Mich.
Bankhead	Gallinger	Owen	Stephenson
Borah	Guggenheim	Page	Swanson
Clark, Wyo.	Jones	Paynter	Taylor
Clarke, Ark.	Kern	Penrose	Thornton
Culberson	La Follette	Perkins	Tillman
Davis	McCumber	Poindexter	Williams
Dillingham	Martin, Va.	Reed	
Dixon	Nelson	Shively	

So the Senate refused to take a recess.

Mr. HEYBURN. I desire to submit a proposition for unanimous consent. I ask unanimous consent that when the Senate takes a recess it shall be until 11 o'clock to-morrow morning, and that to-morrow at 6 o'clock—

Mr. SMOOTH. Not later than 6 o'clock.

Mr. HEYBURN. Not later than 6 o'clock the Senate shall commence to vote upon this resolution and all amendments and substitutes.

The PRESIDENT pro tempore. And finish before adjournment?

Mr. HEYBURN. Yes; and without further debate.

Mr. BACON. All amendments pending and that may be offered?

Mr. HEYBURN. Yes; the usual form.

Mr. BRISTOW. Mr. President—

The PRESIDENT pro tempore. Will the Senator from Kansas allow the Secretary to report the request?

The SECRETARY. That when the Senate takes a recess to-day it shall be to meet at 11 o'clock to-morrow morning, and that not later than 6 o'clock to-morrow the Senate shall commence voting upon the motion made by the Senator from Idaho [Mr. HEYBURN] that the Senate agree to the report of the Committee on Privileges and Elections declaring that in the opinion of the said committee the charges preferred by the Legislature of the State of Wisconsin against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, were not sustained; and that the election of said ISAAC STEPHENSON as a Senator of the United States was not procured by corrupt methods or practices, and upon any amendment that may then be pending or offered to such motion, and shall continue such voting until the question is finally disposed of.

Mr. BRISTOW. As I understand the proposed agreement, it is that the Senate shall meet at 11 o'clock to-morrow and vote not later than 6. I objected to practically the same request some time since, but I have been advised that a Senator who expected to speak immediately after the Senator from Idaho [Mr. BORAH] had closed is ill and unable to go on this afternoon. Under those circumstances I will not offer any objection to the request for unanimous consent, understanding, of course, that we do not have to stay here until 6 o'clock to-morrow unless there is some one who wants to take up the time; that we may vote at any time between 11 and 6 o'clock.

The PRESIDENT pro tempore. Is there objection?

Mr. POINDEXTER. I object.

The PRESIDENT pro tempore. Objection is made. The question is on agreeing to the amendment proposed by the Senator from Washington [Mr. JONES]. [Putting the question.] The noes appear to have it.

Mr. CULBERSON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HEYBURN. Mr. President, I ask that the question be stated.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Washington [Mr. JONES] in the nature of a substitute.

Mr. CRAWFORD. I call for a reading of the amendment.

The PRESIDENT pro tempore. The Secretary will read the amendment.

The SECRETARY. The Senator from Washington offers the following as a substitute for the motion made by the Senator from Idaho:

Resolved, That ISAAC STEPHENSON was not duly and legally elected to a seat in the Senate of the United States by the Legislature of the State of Wisconsin.

Mr. OVERMAN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. I transfer it to the senior Senator from Oklahoma [Mr. OWEN] and will vote. I vote "yea."

Mr. HEYBURN. A parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator from Idaho will state his parliamentary inquiry.

Mr. HEYBURN. Senators are voting "yea" or "nay" on a call of the Senate for the purpose of determining whether or not a quorum is present.

The PRESIDENT pro tempore. In the opinion of the Chair the Senator is mistaken. The yeas and nays have been ordered upon the question of agreeing to the amendment offered by the Senator from Washington to the motion of the Senator from Idaho. Those in favor of the amendment proposed by the Senator from Washington will vote "yea" and those opposed "nay." The Secretary will proceed with the roll call.

Mr. HEYBURN. Was there not a suggestion of a lack of a quorum?

Mr. LODGE. It came too late.

The PRESIDENT pro tempore. It came too late.

Mr. HEYBURN. I did not hear the ruling of the Chair.

Mr. CULBERSON. I rise to a question of order. Debate is not in order while the roll is being called.

The PRESIDENT pro tempore. The point of order is sustained. The Secretary will proceed with the roll call.

The Secretary resumed the calling of the roll.

Mr. BURNHAM (when Mr. GALLINGER's name was called). My colleague, the senior Senator from New Hampshire, is paired with the senior Senator from Arkansas [Mr. CLARKE]. If my colleague were present and at liberty to vote, he would vote "nay."

Mr. GAMBLE (when his name was called). I have a general pair with the junior Senator from Arkansas [Mr. DAVIS]. I transfer it to the Senator from Colorado [Mr. GUGGENHEIM] and will vote. I vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from California [Mr. PERKINS]. I do not see him in his seat and therefore withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). The senior Senator from Michigan, who is absent from the city on official business, is paired with the junior Senator from Missouri [Mr. REED].

Mr. STONE (when his name was called). I have a general pair with the Senator from Wyoming [Mr. CLARK]. I am not authorized to say how he would vote, nor do I know how any absent Senator would vote. I will not transfer the pair, but under the circumstances will withhold my vote.

Mr. LEA (when Mr. TAYLOR's name was called). The senior Senator from Tennessee [Mr. TAYLOR] is quite ill at his apartments and, as I understand from a telephone message to-day, no one is able to communicate with him. I am therefore unable to state how he would vote on this question.

Mr. FOSTER (when Mr. THORNTON's name was called). My colleague [Mr. THORNTON] is absent on business of the Senate.

Mr. PERCY (when the name of Mr. WILLIAMS was called). My colleague [Mr. WILLIAMS] is unavoidably detained from the Chamber by sickness. He is paired with the senior Senator from Pennsylvania [Mr. PENROSE]. If my colleague were present and at liberty to vote, he would vote "yea."

The roll call was concluded.

Mr. WARREN. I desire to announce that my colleague [Mr. CLARK] is absent on the business of the Senate and has a pair with the Senator from Missouri [Mr. STONE].

Mr. POINDEXTER. I desire to state that my colleague [Mr. JONES] is absent on public business.

Mr. BRADLEY. I am paired with the senior Senator from Tennessee [Mr. TAYLOR]. I have received a message over the phone from his secretary releasing me from that pair, but in order to prevent any question, I transfer the pair to the Senator from Vermont [Mr. PAGE] and will vote. I vote "nay."

Mr. REED. I regard myself as paired with the Senator from Michigan [Mr. SMITH]. I transfer the pair to the Senator from Indiana [Mr. SHIVELY] and will vote. I vote "yea."

Mr. BACON. I am paired on this question and also generally with the senior Senator from Minnesota [Mr. NELSON]. For that reason I shall not vote. I am informed that if the Senator from Minnesota were present he would vote "nay," and I should vote to the contrary.

Mr. WARREN. The Senator from Delaware [Mr. DU PONT], who is confined to his house by illness, phoned me a short time ago that he would be unable to come here. He is paired with the Senator from Texas [Mr. CULBERSON].

Mr. CULBERSON (after having voted in the affirmative). In view of the statement made by the Senator from Wyoming, a statement which I myself had intended to make, I withdraw my vote.

Mr. OWEN. Mr. President, I should like to ask whether or not the record shows that I am at liberty to vote. I understand the Senator from Oregon made a transfer during my temporary absence from the Chamber.

Mr. CHAMBERLAIN. I will state that I did that. I thought the Senator would not be here.

Mr. OWEN. That is entirely agreeable to me. If I were at liberty to vote, I wish to say I would vote "yea."

Mr. CURTIS. I wish to announce that the Senator from Vermont [Mr. DILLINGHAM] is paired with the Senator from South Carolina [Mr. TILLMAN], and that the Senator from Montana [Mr. DIXON] is paired with the Senator from Alabama [Mr. BANKHEAD].

The result was announced—yeas 27, nays 29, as follows:

YEAS—27.

Borah	Crawford	Kenyon	Reed
Bourne	Cummins	Kern	Simmons
Bristow	Gardner	Lea	Smith, Ga.
Brown	Gore	Martine, N. J.	Smith, S. C.
Bryan	Gronna	Myers	Townsend
Chamberlain	Hitchcock	O'Gorman	Works
Clapp	Johnson, Me.	Poindexter	

NAYS—29.

Bradley	Curtis	Lorimer	Smoot
Brandegee	Fletcher	McLean	Sutherland
Briggs	Foster	Newlands	Warren
Burnham	Gamble	Nixon	Watson
Burton	Heyburn	Pomerene	Wetmore
Chilton	Johnston, Ala.	Rayner	
Crane	Lippitt	Richardson	
Cullom	Lodge	Root	

NOT VOTING—35.

Bacon	du Pont	Overman	Smith, Mich.
Bailey	Gallinger	Owen	Stephenson
Bankhead	Guggenheim	Page	Stone
Clark, Wyo.	Jones	Paynter	Swanson
Clarke, Ark.	La Follette	Penrose	Taylor
Culberson	McCumber	Percy	Thornton
Davis	Martin, Va.	Perkins	Tillman
Dillingham	Nelson	Shively	Williams
Dixon	Oliver	Smith, Md.	

So the resolution of Mr. JONES was rejected.

Mr. HEYBURN. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 23 minutes p. m., Tuesday) the Senate took a recess until to-morrow, Wednesday, March 27, 1912, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, March 26, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, open Thou our spiritual eyes that we may discern beneath the rough exterior in every human heart the image of his Maker; that a profounder love, a broader charity may prevail, and the ties of fraternity have a broader scope, a deeper significance. That the genius of the Christian religion may find its full fruition in every heart and Thy kingdom come, Thy will be done in earth as it is in heaven. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

AVIATION IN WARFARE.

Mr. HAY. Mr. Speaker, by direction of the Committee on Military Affairs, I present the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 448.

Resolved, That the great importance and necessity of a practical knowledge of aviation as it relates to warfare being now generally admitted by all civilized nations, some of which are spending large sums of money in equipping their armies with various kinds of air craft as a means both of attack and of transport, the Secretary of War be, and he is hereby, respectfully requested, if not incompatible with the public interests, to send to the House of Representatives full information upon the following points:

First. The results of his investigations and the transmission of any reports made by our official agents in foreign countries as to the development and value of aerial navigation, either for the purpose of warfare or to encourage scientific research.

Second. The extent and cost of our Government's equipment in aeroplanes or other air craft now being used in any capacity by the War Department, and the nature of the instruction in aeronautics which is being given to its Army officers and enlisted men.

Third. The plans now contemplated by the War Department for increasing the present equipment of aeroplanes, hydro-aeroplanes, and other air craft for the purposes of warfare and national defense, together with recommendations for such legislation as will adequately provide for such service with reference both to increasing the number of Army officers of the Signal Corps who may be detailed for aviation service as well as the establishment of additional schools of instruction and the building up of our air fleet commensurate with the necessity of properly maintaining our military status among the nations of the world.

The SPEAKER. The Clerk will read the report (No. 450).

The Clerk read as follows:

Mr. HAY, from the Committee on Military Affairs, submitted the following report to accompany House resolution 448:

The Committee on Military Affairs, to whom was referred the House resolution 448, having considered the same, reports thereon with a recommendation that it do pass with the following amendments:

Strike out on page 1, line 7, the words "respectfully requested," and insert the word "directed"; and in lines 7 and 8, page 1, strike out the words "if not incompatible with the public interests."

The SPEAKER. The question is on agreeing to the amendments.

Mr. MANN. Mr. Speaker, as I could not catch the purpose of the resolution from the reading at the desk, I will ask the gentleman from Virginia to explain what it is.

Mr. HAY. Mr. Speaker, this is a resolution asking the War Department to furnish the House of Representatives information as to the present condition of the aviation service, and also asking that department to furnish any other information it may have, with a view to further building up the aviation service in the United States Army.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Page 1, line 7, amend by striking out the words "respectfully requested" and insert the word "directed."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Lines 7 and 8, page 1, strike out the words "if not incompatible with the public interests."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on agreeing to the amended resolution.

The question was taken, and the amended resolution was agreed to.

PENSIONS.

Mr. GREGG of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, in regard to what does the gentleman desire to address the House?

Mr. GREGG of Pennsylvania. In regard to the remarks of the gentleman from Georgia on last Thursday, in the consideration of pensions, wherein he attacked the record of a soldier of the State of Pennsylvania.

The SPEAKER. Is there objection?

Mr. RODDENBERRY. Mr. Speaker, to what gentleman from Georgia does the gentleman from Pennsylvania refer?

Mr. GREGG of Pennsylvania. To Mr. TRIBBLE.

Mr. RODDENBERRY. Mr. Speaker, I do not see Mr. TRIBBLE upon the floor at this time, and unless he is present I shall object, and I do object.

The SPEAKER. The gentleman from Georgia objects.

CANADIAN PARLIAMENTARY HANSARD.

Mr. FINLEY. Mr. Speaker, I send to the Clerk's desk for present consideration the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution authorizing the Librarian of Congress to furnish a copy of the daily and bound CONGRESSIONAL RECORD to the undersecretary of state for external affairs of Canada in exchange for a copy of the Parliamentary Hansard.

Resolved, etc., That the Librarian of Congress is hereby authorized to furnish a copy of the daily and bound CONGRESSIONAL RECORD to the undersecretary of state for external affairs of Canada in exchange for a copy of the Parliamentary Hansard, and that the Public Printer is hereby directed to honor the requisition of the Librarian of Congress for such copy. The Parliamentary Hansard so received shall be the property of the Department of State.

Mr. FINLEY. Mr. Speaker, I will ask the Clerk to read the Senate resolution to which the resolution he has just read is an amendment proposed by the Committee on Printing, and also the report of the committee.

The SPEAKER. The Chair will state that this is not a privileged resolution.

Mr. FINLEY. I understand that, Mr. Speaker. I have not called this up as a privileged resolution, but I did call it up some time ago and there was no objection to it. I ask unanimous consent to consider the resolution at the present time.

The SPEAKER. The gentleman from South Carolina asks unanimous consent for the present consideration of the resolution. Is there objection? [After a pause.] The Chair hears none.

Mr. FINLEY. I now ask that the Senate resolution be read (S. Con. Res. 14).

The SPEAKER. The Clerk will report the Senate resolution and the report of the committee.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of State is hereby authorized to furnish a copy of the daily and bound CONGRESSIONAL RECORD to the undersecretary of state for external affairs of Canada in exchange for a copy of the Parliamentary Hansard, and that the Public Printer is hereby directed to honor the requisition of the Secretary of State for such copy.

Mr. FINLEY, from the Committee on Printing, makes the following report (H. Rept. 454, to accompany S. Con. Res. 14):

The Committee on Printing having had under consideration the Senate concurrent resolution 14, authorizing the Secretary of State to furnish a copy of the daily and bound CONGRESSIONAL RECORD to the undersecretary of state for external affairs of Canada in exchange for a copy of the Parliamentary Hansard and directing the Public Printer to honor the requisition of the Secretary of State for such copy, reports the same back to the House with the recommendation that the resolution be agreed to with the following amendments: First, on line 1, strike out all after the words "*Resolved by the Senate*" and insert the following, "*and the House of Representatives of the United States of America in Congress assembled*, That the Librarian of Congress is hereby authorized to furnish a copy of the daily and bound CONGRESSIONAL RECORD to the undersecretary of state for external affairs of Canada in exchange for a copy of the Parliamentary Hansard, and that the Public Printer is hereby directed to honor the requisition of the Librarian of Congress for such copy. The Parliamentary Hansard so received shall be the property of the Department of State." Second, amend the title to read as follows: "Joint resolution authorizing the Librarian of Congress to furnish a copy of the daily and bound CONGRESSIONAL RECORD to the undersecretary of state for external affairs of Canada in exchange for a copy of the Parliamentary Hansard."

Mr. FINLEY. Mr. Speaker, the amendment of the committee requires that the Librarian of Congress furnish this publication.

The reason for that is that it is usual for an exchange of documents between this Government and foreign Governments to be made in that way. I ask for a vote on the amendments.

The SPEAKER. The question is on agreeing to the amendments to the Senate joint resolution.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the Senate concurrent resolution as amended.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "Joint resolution authorizing the Librarian of Congress to furnish a copy of the daily and bound CONGRESSIONAL RECORD to the undersecretary of state for external affairs of Canada in exchange for a copy of the Parliamentary Hansard."

PRINTING PROCEEDINGS OF THE UNVEILING OF THE STATUE OF BARON VON STEUBEN.

Mr. FINLEY. Mr. Speaker, I send the following privileged resolution to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House concurrent resolution 30 (H. Rept. 448).

Resolved by the House of Representatives (the Senate concurring), That the concurrent resolution passed August 21, 1911, providing for the printing of the proceedings upon the unveiling of the statue of Baron von Steuben in Washington, December 7, 1910, be amended by adding the following sentence after the last word thereof:

"There shall be included in the same volume, as herein provided for, the proceedings relating to the unveiling of the statue of Baron von Steuben in Berlin, September 2, 1911; and this document shall be compiled and printed under the direction of the Joint Committee on Printing."

Mr. FINLEY. This is by way of an amendment to a resolution which passed some time ago.

Mr. SLAYDEN. Mr. Speaker, will the gentleman permit a question in connection with the resolution?

Mr. FINLEY. Certainly.

Mr. SLAYDEN. What is the practice in paying for the preparation of reports of these unveilings? I submit the question to the chairman of the committee, because there is now pending before the Committee on the Library a resolution to pay for the report of the proceedings ordered by the Senate when the monument to Gen. McClellan was unveiled. That has never been paid for, and I would like to know what has been the practice in order that we may have some assistance in considering that resolution.

Mr. FINLEY. I will state to the gentleman from Texas that, so far as I know, no arrangement for paying for preparation of reports like the one under consideration has been made, and so far as I am concerned none will be. I say to the gentleman that the reports are furnished to the Joint Committee on Printing and the publication is made under their direction.

Mr. SLAYDEN. Who furnishes the report to the Committee on Printing?

Mr. FINLEY. Well, take the resolution under consideration. The Member of the House who has been most active and who had the matter in charge, Dr. BARTHOLDT, of Missouri—

Mr. SLAYDEN. Was it written by him?

Mr. FINLEY. Oh, no; it is a copy of the proceedings of what took place at Berlin, and is to be a part of the publication relative to the unveiling of the statue in Washington.

Mr. SLAYDEN. The gentleman does not quite catch the purport of my question. It is this: A special report of the proceedings at the unveiling of the McClellan Monument was ordered and not paid for, as I understand. Previous reports of a similar nature had been ordered and paid for, but in this case it was not, and I would like to know if the practice is usually to have a special report of a historical nature made in connection with the unveiling of these monuments. Have there been historical sketches of Von Steuben and these other people?

Mr. FINLEY. My understanding is that the report in the case usually is a verbatim report of the proceedings and exercises and nothing more, and, so far as I know, there is no arrangement for payment to get up that report.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. BARTHOLDT] have leave to extend his remarks in the RECORD on this subject.

Mr. FINLEY. I did not see the gentleman from Missouri or I would have yielded the floor to him.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Missouri [Mr. BARTHOLDT] be permitted to extend his remarks in the RECORD on this resolution. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The question was taken, and the concurrent resolution was agreed to.

PUBLIC HEALTH BULLETIN NO. 51.

Mr. FINLEY. Mr. Speaker, I ask consideration of the privileged resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House concurrent resolution 43.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the House of Representatives, to be distributed through the folding room, 100,000 copies of Public Health Bulletin No. 51, being a report on the cause and prevention of typhoid fever, with special reference to conditions observed in Yakima County, in the State of Washington, by L. L. Lumsden.

The report (No. 449) is as follows:

The Committee on Printing having had under consideration the House concurrent resolution (H. Con. Res. 43) providing for the printing of Public Health Bulletin No. 51, reports the same back to the House with the recommendation that the resolution be agreed to. The estimated cost will be \$6,569.13.

The question was taken, and the resolution was agreed to.

RAILROAD RATES FOR CARRYING MAIL.

Mr. FINLEY. Mr. Speaker, I ask for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 331.

Resolved, That 2,000 copies of House Document No. 105, entitled "Railroad Rates for Carrying Mails," be printed for the use of the Post Office Department.

Mr. FINLEY. Mr. Speaker, I ask that the report be read.

Mr. MANN. Will the gentleman ask unanimous consent?

Mr. FINLEY. I think the gentleman will find his objection obviated by hearing the report read.

Mr. MANN. I do not object, but it is not a privileged resolution, and the gentleman will have to ask unanimous consent.

The SPEAKER. The gentleman from South Carolina asks unanimous consent for the present consideration of the resolution. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the report.

The Clerk read as follows:

Report No. 452, to accompany House resolution 331.

The Committee on Printing, having had under consideration the House resolution (H. Res. 331) providing for the printing of 2,000 copies of House Document 105, reports the same back to the House with the recommendation that the resolution be agreed to with the following amendment: On line 3 strike out the words "for the use of the Post Office Department" and in their place insert "for the use of the Committee on Post Office and Post Roads, House of Representatives." The estimated cost will be \$465.90.

The question was taken, and the amendment was agreed to.

The question was taken, and the resolution as amended was agreed to.

PRINTING OF HEARINGS NO. 54 (H. DOC. NO. 651).

Mr. FINLEY. Mr. Speaker, I ask for the present consideration of the privileged resolution which I send to the Clerk's desk.

The Clerk read as follows:

House concurrent resolution 42 (H. Rept. 453).

Resolved, etc., That there shall be printed 3,000 copies of hearings No. 54, before the Committee on Expenditures in the Post Office Department, House of Representatives, on H. Res. 109, to investigate the Post Office Department, for the use of the said committee.

Mr. MANN. Mr. Speaker, what is the hearing?

Mr. FINLEY. Mr. Speaker, this is a document relating to the Rural Delivery Service in the Post Office Department.

Mr. ASHBROOK. I will state to the gentleman that it relates to hearings before the Committee on Expenditures in the Post Office Department concerning the Rural Delivery Service.

Mr. FINLEY. This is from the Committee on Expenditures in the Post Office Department.

Mr. AUSTIN. This refers to hearings on the Rural Free Delivery Service?

Mr. FINLEY. Yes.

Mr. AUSTIN. The resolution ought to pass.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

On line 1, after the word "resolved," the words "by the House of Representatives (the Senate concurring)," be stricken out and that the title of the resolution be changed so as to read "House resolution." That, on line 6, the words "for the use of said committee" be stricken out and the following be inserted in their place: "Of which one thousand shall be for the use of said committee and two thousand for the use of the House of Representatives, to be distributed through the document room."

The resolution as amended is as follows:

House resolution 462.

Resolved, etc., That there shall be printed 3,000 copies of hearings No. 54, before the Committee on Expenditures in the Post Office Department, House of Representatives, on House resolution 109, to investigate the Post Office Department, of which 1,000 shall be for the use of the said committee and 2,000 for the use of the House of Representatives, to be distributed through the document room.

Mr. ASHBROOK. Will the gentleman yield?

Mr. FINLEY. Certainly.

Mr. ASHBROOK. I will state to the gentleman that the committee has already requests for more than 1,000 copies, and that will not be sufficient to supply the requests of those who have already applied for them. I would like very much to have that changed so that at least 1,000 will go to the use of the committee.

Mr. FINLEY. I think the gentleman will agree with me that his committee will have no trouble to get at least a large part of the documents that will be consigned to the House document room. As the gentleman must know, if we give all of a publication like this, which is of general importance and excites considerable interest, to the members of the committee, we will then be cutting out all the other Members of the House. To give each one a few copies, or place them in the document room so that they can be obtained, I think, will obviate that. The committee thought that was an objection to the resolution. I will say to the gentleman frankly that I think there will be no trouble on that score.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on agreeing to the House concurrent resolution as amended.

The House concurrent resolution was agreed to.

The title was amended so as to read: "House resolution."

ACUTE ANTERIOR POLIOMYELITIS.

Mr. FINLEY. Mr. Speaker, I ask unanimous consent for consideration of the privileged resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 434.

Resolved, That there be printed for the use of the House of Representatives 5,000 copies of Public Health Bulletin No. 44, as issued for February, 1911, by the Public Health and Marine-Hospital Service of the United States, entitled "Acute Anterior Poliomyelitis," and all to be delivered to the superintendent of the document room of the House of Representatives for distribution.

The report (No. 447) is as follows:

Mr. FINLEY, from the Committee on Printing, makes the following report to accompany House resolution 434:

The Committee on Printing, having had under consideration the House resolution (H. Res. 434) providing for the printing of 5,000 copies of Public Health Bulletin No. 44, as issued for February, 1911, by the Public Health and Marine-Hospital Service of the United States, reports the same back to the House with the recommendation that the resolution be agreed to. The estimated cost will be \$116.35.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

PARCEL POST.

Mr. FULLER. Mr. Speaker, I ask unanimous consent to print in the RECORD two letters on the subject of parcel post.

The SPEAKER. The gentleman from Illinois [Mr. FULLER] asks unanimous consent to print in the RECORD two letters on the subject of the parcel post. Is there objection?

There was no objection.

The letters referred to are as follows:

SANDWICH, ILL., March 12, 1912.

CONGRESSMAN FULLER, Washington, D. C.

DEAR SIR:

I send by mail my doleful wail to him who never did us fail; To us so dear—who has no fear—the man who hails from Belvidere. Now this is sent with good intent for farmers whom you represent, Who say you can vote for a plan to help them as their "hired man." Some men will lead in human greed, yet they are men the farmers feed; Some, rich by birth, want all the earth—may not be men of real worth; You may be sure some others, fewer, would roast your carcass on a skewer,

If you were fair; or anywhere but said you dealt "upon the square." The farmers guess the "Trust Express" is nothing less a throttling mess.

They say the lust of "Express Trust" for aye be cussed, and should be "bust."

They all will tell they pay like—well, express on what the merchants sell.

They took a stand and lent a hand defending home when war was fanned;

Now, in their fight, think you'd delight to aid them in a cause that's right.

But to be brief, they in their grief, demand that now they have relief. Without a sham, with no flimflam, they put their trust in Uncle Sam;

And say that he from want is free, and if he helps they'll happy be. It is their boast, they want, at most, relief by way of parcel post.

From hill and dale it is their wail, they want their parcels sent by mail.

I trust that you these thoughts imbue, and that you vote to help it through;

And here will say, to close this lay, I for success "will ever pray," etc.

Very sincerely, your friend,

J. IVOR MONTGOMERY.

SANDWICH, ILL., March 20, 1912.

At a farmers' meeting held here to-day, One hundred and twenty men had their "say"; And as honest men, and as toilers, too, They spake plain words, as such men do. Now, these men of toil and these men of sweat, Asked me if I'd "heard from FULLER yet?" And I told them, "No; but I knew he would Reply as soon as ever he could; For as farmer, teacher, or with saw and wrench, Or as pleader at the bar, or as judge on the bench, That whatever his calling since his life began, He was always the friend of the toiler man; There were none so poor, none so forlorn, That CHARLES E. FULLER would pass with scorn." Then these men of brawn and these men of toil, All these hardy tillers of the soil, Suggested that I should take my pen And write you a letter for them again. They say that men of means, a mighty throng, Who have time to write petitions long, And whose wealth is mines, and bonds, and bills, And notes, and gold in their money tills, Are now flooding Congress to their utmost With letters opposed to a parcel post. Now, the farmers, having no time to write you there, Or to draft petitions or send their prayer, Will depend upon you to demand their right To a parcel post, and will win the fight. Men who till the soil, and who sow the seed, And whose duty it is mankind to feed, You are bound to protect, and I know you'll try, For unless they labor mankind must die. Some are seeming to act only on the plan That the dollar weighs more than the rights of man; But if that is the lesson we ought to instill, Why not tear down the shaft upon old Bunker Hill? For the place should be planted to Indian corn If the dollar weighs more than patriots born. Some a dollar will pinch until every inch of the eagle screams with pain, And will dream the most of that same bird's ghost on paying it out again; There are some who give that the poor may live, and to lessen all their fears, And believe, the while, that another's smile is better, by far, than tears. There are some so great in their estimate of nature from pole to pole, They can put a hand in the water, and withdraw it and see the hole; Set it down all such never count as much as the one who wields a spade, For no greater than an honest man has creation ever made. All the sacred claim both to thought and aim, or to action, that thou wilt That belongs to thee, thou shouldst grant to me; for on this all rights are built. On a time you felt discouraged; you appealed to farmer-friend, And he volunteered to aid you, and contributes to that end; He has helped you climb Fame's ladder 'till you see far better times, Don't you throw him; for ingratitude is among the basest crimes. You may calculate from childhood to the time when you are old, Yet the value of true friendship you can't reckon up with gold; It is merit makes the man who will be faithful to the end. While the conscienceless dissembler will throw down his dearest friend, If you rob a friend that's honest and then leave him to his fate, If you pauperize his children, and his friendship turns to hate, If you use him but to down him, he may turn on you at last, And wreak vengeance to your sorrow for the wrongs of all the past. If you have a grain of reason, then, it should control your head, And before you murder friendship you would better, far, be dead; Just remember, since creation it has always been the same, That the most you'll leave behind you is the memory of a name.

Very sincerely, your friend,

J. IVOR MONTGOMERY.

To Hon. CHARLES E. FULLER,
Washington, D. C.

WESTERN NEWSPAPER UNION.

Mr. TAGGART. Mr. Speaker, I ask unanimous consent for the present consideration of House resolution 458, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 458.

To authorize the investigation of the Western Newspaper Union.

The SPEAKER. The proper way to get this resolution before the House is to put it on the Unanimous Consent Calendar.

Mr. TAGGART. Mr. Speaker, I withdraw my request.

Mr. MANN. The resolution is before the Committee on Rules.

The SPEAKER. The Chair supposed it had been reported. The resolution will be held in abeyance until the Committee on Rules reports it.

THE COTTON SCHEDULE (H. DOC. NO. 643).

The SPEAKER laid before the House a message from the President of the United States, which was read.

[For message, see the Senate proceedings of March 28.]

[The reading of the message was greeted with applause on the Republican side.]

Mr. UNDERWOOD. Mr. Speaker, I rejoice greatly that the other side of the House applauds a message in favor of a reduction of a tariff schedule which they passed themselves. [Applause on the Democratic side.]

Mr. PAYNE. I would like to know if the gentleman will unite with this side of the House in continuing the Tariff Board and enabling them to do further work? [Applause on the Republican side.]

Mr. UNDERWOOD. Mr. Speaker, I would be delighted if the gentleman from New York [Mr. PAYNE] did not repudiate his own board as he did with the bill he filed on the wool schedule a few days ago making some of the items even higher than they were in the old schedule. [Applause on the Democratic side.]

Mr. Speaker, I move that the message and accompanying papers be referred to the Ways and Means Committee and that so much of the accompanying papers as the board itself indicates shall be printed, and so much as they indicate they do not desire to have printed be referred to the custody of the clerk of the committee. I wish to say if that resolution goes through I will ask unanimous consent to have 5,000 copies printed.

Mr. MANN. Will the gentleman yield?

The SPEAKER. Will the gentleman from Alabama yield to the gentleman from Illinois?

Mr. UNDERWOOD. I will.

Mr. MANN. Does the board indicate what portion it desires to have printed?

Mr. UNDERWOOD. I have not gone over it thoroughly, but I notice in the papers they have written on some parts that "This portion shall be printed," and that some shall not be printed, and so I suppose they have done that all the way through, although I have not carefully examined it.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] moves that the message and the accompanying papers be referred to the Committee on Ways and Means, the message printed, and such parts of the accompanying papers as the Tariff Board has indicated shall be printed and the rest remain in the custody of the clerk of the committee. Is there objection?

Mr. MANN. I think on some of the papers sent in that the board has marked "Not to be printed."

Mr. UNDERWOOD. Yes.

Mr. MANN. Would it not be better to provide that should not be printed and that the other should be printed?

Mr. UNDERWOOD. On examination of the papers I see that they have indicated what should be printed and what should not, and I think my suggestion covers exactly what the gentleman refers to.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Alabama.

The question was taken, and the motion was agreed to.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that in the printing of these documents there may be 5,000 printed, 1,000 for the use of the committee and 4,000 for the use of the House, to be distributed through the folding room.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent to print 5,000 copies, 1,000 for the use of the Committee on Ways and Means and the other 4,000 to go to the folding room for the benefit of the Members.

Mr. MANN. Does the gentleman think that number will be sufficient?

Mr. UNDERWOOD. I think so. I have had very little demand for the wool report. I have got a surplus on hand, and I think that 5,000 copies of this will be more than enough. It will give each Member about 10 copies.

Mr. MANN. I think, as a matter of fact, that the 12,000 we have ordered printed of the wool report, which are now coming in, will not be sufficient to supply the demand for them.

Mr. UNDERWOOD. I will say to the gentleman that we might try 5,000 of these and see how far they will go.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The motion was agreed to.

RULES CONCERNING PENSION BILLS.

Mr. RODDENBERY rose.

The SPEAKER. For what purpose does the gentleman from Georgia [Mr. RODDENBERY] rise?

Mr. RODDENBERY. Mr. Speaker, I desire to offer a resolution privileged under the Constitution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution by Mr. RODDENBERY.

Resolved, That the rules of the House be amended as follows:

(1) No omnibus private pension bill shall be considered by the House until the full report of the committee thereon shall have once been printed in the Record 10 days previous to calling such bill up for consideration.

(2) All general debate on any omnibus private pension bill shall be limited to two hours, one-half to be controlled by proponents of the bill and one-half by the opponents of the bill.

(3) No omnibus private pension bill shall be placed on its passage under suspension of the rules.

Mr. FOSTER. Mr. Speaker, I make the point of order that the resolution is not a privileged resolution.

The SPEAKER. The point of order is sustained.

Mr. RODDENBERRY. Mr. Speaker, a parliamentary inquiry. The SPEAKER. The gentleman will state it.

Mr. RODDENBERRY. Is it not possible to let the entire resolution be read before the point is ruled upon?

The SPEAKER. The point of order is well taken when it is ascertained clearly that the resolution is not privileged.

Mr. RODDENBERRY. Then, Mr. Speaker, I send the resolution to the Clerk's desk, to be inserted in the basket.

Mr. FOSTER. I object.

The SPEAKER. The gentleman has a perfect right to put it in the basket.

Mr. FOSTER. But not to speak to the House in regard to it.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. TAYLOR of Alabama, indefinitely, on account of important business.

To Mr. HARDWICK, for two weeks, on account of important business.

To Mr. PUJO, indefinitely, on account of sickness in his family.

To Mr. MCHENRY, for 10 days, on account of illness.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. SULZER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the bill (H. R. 19212) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1913; and, pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to two hours, one hour to be controlled by the gentleman from Wisconsin [Mr. COOPER] and one hour to be controlled by myself.

The SPEAKER. The gentleman from New York [Mr. SULZER] moves that the House resolve itself into the Committee of the Whole House on the state of the Union to consider House bill No. 19212, the diplomatic and consular appropriation bill; and, pending that, he asks unanimous consent that general debate be limited to two hours, one hour to be controlled by himself and one hour by the gentleman from Wisconsin [Mr. COOPER]. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The question is on the motion of the gentleman from New York that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the diplomatic and consular bill.

The motion was agreed to.

Accordingly the House resolved itself in the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 19212, the diplomatic and consular appropriation bill, with Mr. SIMS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of House bill 19212, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 19212) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1913.

Mr. SULZER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New York [Mr. SULZER] asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. SULZER. Mr. Chairman, this appropriation bill needs little explanation. It is framed along fair and economical lines. The people of this country take a deep and an abiding interest in the Diplomatic and Consular Service. There is no other branch of the Government that is doing so much effective work for our trade and commerce and getting such good results for all the people as the Diplomatic and Consular Service. This applies not only to those citizens who travel and sojourn abroad, but it applies in a larger sense to the business people of America and to all the citizens of our country. It is a matter of gratification for me to say—and I know I voice the sentiments of our people generally—that there never was a time in the history of our country when our Diplomatic and Consular Service was so efficient and on so high a plane as it is to-day. [Applause.]

The value of the foreign service to the Government, to American commerce, and to the individual citizen is now recognized and can not be gainsaid. It is no longer merely political, but it has become to a large extent an efficient nonpartisan instrument for the expansion of American commerce and the extension of American enterprise, securing for American commercial interests fair and equal trade opportunity with the peoples of other countries, and it assures to the individual citizen the protection of his rights the world over. It is through its agency that the entire business of the Government in its relations with other

Governments is conducted; and for every dollar expended for the foreign service the people of the United States receive directly or indirectly 100 for 1 in return.

Let me say much credit for this is due to the present administration and also to the preceding administration, and I am broad-minded enough to declare that, so far as I am concerned, in the future as in the past I shall do everything in my power to continue to improve the personnel and the efficiency of our foreign service and in so far as may be possible lift it completely out of the slough of partisan politics and put it where it belongs, upon the high, impregnable ground of the merit system, where talent, ability, competency, and experience shall be the sole qualifications for appointment and promotion. [Applause.]

This bill has been carefully prepared and considered by the Committee on Foreign Affairs, and is reported to the House unanimously. The total estimates submitted aggregate \$4,079,697.41; the amount appropriated for the last fiscal year was \$3,987,766.41; the accompanying bill, carrying the appropriations for the next fiscal year, totals \$3,427,491.41, which is a reduction of \$560,275 from last year's appropriations and is \$652,206 below the estimates submitted for the ensuing year. This saving to the taxpayers of our country speaks for itself and needs no further comment.

The various amounts appropriated for the Diplomatic and Consular Service in this bill are deemed to be quite sufficient to meet all the actual needs of the service for the next fiscal year. Every effort has been made to consistently economize where economy could wisely be practiced. No attempt was made to cripple in any way the administration of the State Department or to impair in the least degree the efficiency and the splendid work now being done by our foreign service. Not a salary was reduced, and only one increase was made, and that so small as to be quite immaterial.

The pruning of the estimates submitted for various purposes was conscientiously done where it could be afforded the most easily without present or future injury to any agency of the Government provided for in this appropriation bill. I repeat, there has not been a decrease in salary, and there has been no increase of salary save in one instance, namely, the pay of the secretary to the Turkish embassy, and his salary was placed on an equality with the salary of the secretary of the embassy to Japan and the salary of the secretary of the embassy to China.

The emergency fund—and that has been a matter of investigation and criticism in this House by another committee—after careful inquiry and mature deliberation has been reduced from \$90,000 to \$50,000, with the following limitation:

Provided, however, That the vouchers for the money expended under this appropriation shall be itemized, and the same shall be subject, whenever required, to the inspection of the chairman of the Committee on Foreign Affairs of the House of Representatives and the chairman of the Committee on Foreign Relations of the United States Senate, or either of them.

Let me say there is no legitimate objection to this reduction, and there should be no opposition to the limitation which the committee put upon that appropriation. We believe this wise limitation will go far to silence adverse criticism and to a large extent satisfy the demand for greater publicity in the future regarding the disbursement of this emergency fund.

This appropriation bill, take it all in all, is about as fair and as just and as economical a measure as can be framed and brought into this House, and I for one of the members of the Committee on Foreign Affairs, responsible for its provisions, indulge the hope that it will pass the House without material change.

Mr. Chairman, I reserve the balance of my time, and request the gentleman from Wisconsin to now use some of his time.

Mr. COOPER. I yield to the gentleman from Missouri [Mr. BARTHOLDT].

ROOSEVELT PRAISES TAFT.

Mr. BARTHOLDT. Mr. Chairman, I desire to submit, for insertion in the Record, an interesting extract from a speech delivered by Col. Theodore Roosevelt as temporary chairman of the New York Republican State convention at Saratoga, N. Y., September 27, 1910. In the course of his remarks the colonel said:

We come here feeling that we have the right to appeal to the people from the standpoint alike of National and State achievement. During the last 18 months a long list of laws, embodying legislation most heartily to be commended as combining wisdom with progress, have been enacted by Congress and approved by President Taft.

The amendments to the interstate-commerce law; beginning of a national legislative program for the exercise of the taxing power in connection with big corporations doing an interstate business; the appointment of a commission to frame measures that do away with the evils of overcapitalization and of improper and excessive issues of stocks and bonds; the law providing for publicity of campaign expenses; the establishment of the maximum and minimum tariff provisions and the exceedingly able negotiation of the Canadian and other treaties in accordance therewith; the inauguration of the policy of providing for a dislin-

terested revision of tariff schedules through a high-class commission of experts which will treat each schedule purely on its own merits, with a view both to protecting the consumer from excessive prices and to securing the American producer, and especially the American wage worker, what will represent the difference of cost in production here as compared with the cost of production in countries where labor is less liberally rewarded; the extension of the laws regulating safety appliances for the protection of labor; the creation of a Bureau of Mines—these, and similar laws, backed up by Executive action, reflect high credit upon all who succeeded in putting them in their present shape upon the statute books; they represent an earnest of the achievement which is yet to come and the beneficence and far-reaching importance of this work done for the whole people measure the credit which is rightly due to the Congress and to our able, upright, and distinguished President, William Howard Taft.

[Applause.]

Mr. COOPER. I yield 20 minutes to the gentleman from Michigan [Mr. SAMUEL W. SMITH].

Mr. SAMUEL W. SMITH. Mr. Chairman, as I understand it, Monday of last week was set apart by the farmers of Michigan, and possibly throughout the country, to write their Members of Congress upon the subject of parcel post. I have received many letters bearing upon this subject, asking, urging, and even demanding, that I vote for a general parcel post.

These letters in the main were from farmers, and I think I state the situation correctly when I say that the farmers and some people living in the villages and cities favor a parcel post, while, on the other hand, the village and city merchants are opposed to it, believing that it will ruin their business, insisting that even a local rural parcel post is merely an entering wedge for a general parcel post, and for that reason must be regarded as the initial step toward all the evil consequences of a general parcel post and subject to all the objections of such a system, as they see it.

I am sure that no one knowingly wants to be a party to ruining the legitimate business of any person.

My experience is that the average Member of Congress wants to know the wishes of his constituents and carry them out as best he can, but the life of a Congressman is a busy one, and it often happens that he has not had the time nor the opportunity to give a subject the study and investigation he would like to, and this is especially so where there is such an honest difference of opinion as there is upon the subject of parcel post.

One Member becomes absorbed in the tariff, another in postal savings banks, another in parcel post, and so on, and we come to look upon them as authority upon these subjects as we rely upon the reports of committees respecting the various bills that are reported to the House.

I have often said that I wished we might have more than one secretary, for I believe that I could so utilize their time that it would be of lasting benefit not only to my constituents but to the country at large. I recall that before I made my first speech upon the reduction of telegraph rates (which with the combined efforts of others has resulted in the night letter and day letter, saving so many thousands of dollars daily to our people, and I may add that it is surprising to know how many people who are engaged in active business do not yet know of the existence of either the night or day letter), that I spent many months in the preparation of the same, well knowing that any mistake in figures or otherwise would be severely criticized by at least the two leading telegraph companies of the country, and after the time thus spent in preparation one of my greatest difficulties was to condense and cut down the speech so that it would be read by the average person and at the same time give the desired information.

I assume that some Member or Members of this honorable body have taken a very deep interest in the subject of parcel post and, as a result, have been enabled to give much time and consideration to the same. I think I can justly refer to the distinguished Member, Mr. SULZER, of New York, as having done so, and who I believe is regarded as an authority upon this subject.

EXPRESS RATES.

I want to say that however much Members may differ upon this subject, I believe I voice the sentiments of this body when I say we are willing to do whatever we can to reduce the exorbitant express rates which prevail in this country. In fact, as soon as reliable information and data can be secured from the Interstate Commerce Commission I intend to make a carefully prepared speech upon express rates.

I am about to read into the Record from the Hardware Reporter of December, 1911, a short article entitled "Enormous cost of parcel-post equipment," and want it expressly understood that I am in no way responsible for, nor am I bound by, any statement or figures contained therein.

The annual Post Office appropriation bill (H. R. 21279), "A bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes," has been reported to the House, and doubtless

will be considered within the next two or three weeks, and, in my judgment, contains all the parcel-post legislation that will be reported from that committee during this session of Congress.

Taking the article referred to as a text or guide, I would be very glad, and I believe I express the wishes of many of my associates on both sides of the Chamber, if the distinguished gentleman from New York referred to, Mr. SULZER, or some one else would in the meantime, or when this bill is under discussion, speak at some length as to the cost of a general parcel post and secure enough time so that Members may have an opportunity to ask questions and have a full, fair, and frank discussion of the same. I am sure that it can but result in doing much good, because those who favor and those who oppose a general parcel post or a parcel post in any form ought to be willing, and I am sure are, to invite and encourage the fullest discussion of the same.

"ENORMOUS COST OF PARCEL-POST EQUIPMENT."

"The cost—what will it cost to put into operation this proposed scheme for parcel post?

"There are in this country more than 1,900 Federal buildings occupied in whole or in part by post offices. The outlay for these buildings is more than \$160,000,000.

"A parcel post will require an increase in space of at least one-half for all these buildings; or, in other words, an outlay approximating \$100,000,000.

"There are about 50,000 fourth-class postmasters in this country. These postmasters will be required to give more space to the handling of parcels. It will require more of their time, and their pay will therefore have to be increased on an average of \$100 each, which will require another outlay of at least \$5,000,000.

"There are more than 40,000 rural routes already in operation. It will mean a direct outlay and additional equipment of another horse and strong wagon; of at least \$150 a year for each rural carrier, or another outlay approximating \$8,000,000.

"Warehouses at railroad terminals will be required at an outlay approximating \$10,000,000.

"In Germany last year 343,000,000 parcels were carried at an average of 9 pounds each. To carry these parcels at 10 cents a pound means a direct loss in carrying of at least 18 cents a package, and, with the enormous retail mail-order business in this country, there will be not less than 500,000,000 packages carried the first year. This will bring a loss to the Government approximating \$90,000,000; or, in other words, a direct outlay and loss the first year in the installation and operation of parcel post approximating anywhere from \$225,000,000 to \$250,000,000.

"Certainly an outlay of such proportions for a parcel post, which creates nothing and benefits nobody but the retail mail-order house, is objectionable. It is not justified by the application of any of the simplest business principles." [Applause.]

I can not conclude these brief remarks without inserting an article from the Daily Consular and Trade Reports of February 16, 1912, entitled:

FARM PRODUCE BY PARCEL POST.

[From Consul Edwin N. Gunsaulus, Johannesburg, South Africa.]

"A recent issue of South Africa details as follows the advantages derived by both the producer and consumer of farm products by the extension throughout the Union of South Africa of the agricultural parcel post:

"Among the benefits which were conferred on the agricultural community by the post-office act which recently came into operation was the extension of what is known as the agricultural parcel post throughout the Union. The system has been in force in the Transvaal for some time and has yielded a great deal of benefit to various classes, and its extension to the Union is, of course, a decided march forward, bringing in its train increased facilities to the people of the Transvaal, who will be enabled to send parcels by this means to any of the Provinces, and offering facilities which have hitherto not been enjoyed by the Cape, Free State, or Natal.

"The agricultural parcel post is very comprehensive in its range, and practically means the conveyance at low rates of anything produced or manufactured within the confines of the Union. The official description is "parcels containing articles produced, or, if manufactured, produced and manufactured in the Union of South Africa, addressed to any place within the same (except Rhodes Drift, Pietersburg, which receives its correspondence from Tuli, in Rhodesia)." Among the articles which may thus be sent are butter, eggs, poultry, bread, biscuits, yeast, tea, dried meats, jam, honey, tobacco, cigarettes, dried and bottled fruits, confectionery, plants, seeds, and so on. Of course, the success of an institution of this kind depends very much on the scale of charges.

"Many people, no doubt, would like to get their butter, meat, and poultry direct from the producer. For example, in Cape Town one of the great drawbacks to direct dealing with the farmer has been the cost and trouble of getting produce conveyed from him, but under the agricultural parcel post, at any rate, there should not be any difficulty on that score, for a parcel up to 11 pounds in weight will be carried to any part of the Union for 24 cents. The scale of postage is as follows: Up to 14 pounds, 6 cents; over 14 pounds and not more than 3 pounds, 12 cents; up to 6 pounds, 16 cents; up to 9 pounds, 20 cents; up to 11 pounds, 24 cents.

"In order to prevent fraud, the authorities require that a declaration shall be signed by the senders. Returned empties may also be sent by this system. The original declaration label must be attached, indorsed "Returned empty," and the empty parcels must be addressed to the person who signed the declaration. The experiment is one that should do much to bring the producer and consumer in closer touch, and its operation will be watched with the greatest interest."

Mr. COOPER. Mr. Chairman, I have no more demands for time on this side.

Mr. SULZER. I yield 10 minutes to the gentleman from Pennsylvania [Mr. GREGG].

Mr. GREGG of Pennsylvania. Mr. Chairman, the iniquity of giving to Members of the House the privilege of extending their remarks in the Record is fully exemplified in the remarks that were extended by the gentleman from Georgia [Mr. TRIBBLE], which appear on page 3929 of the CONGRESSIONAL RECORD. On last Thursday I sat here patiently all the afternoon listening to the reading of the bill relating to invalid pensions and also listening to the arguments that were being made for and against that bill. Not one single word was publicly uttered in this House in relation to any one of my constituents; but when I turn to page 3929 and the top of page 3930, I discover that reference has been made to one John Walter, whose name is misprinted in the Record as John Walters. It is there stated:

For instance, on page 65 of the report, John Walters owns a home valued at \$2,500 and has assistance from a lodge, and he is recommended for an increase to \$30 a month.

The report states that fact; but I rise here to attempt, in my feeble way, to correct a portion of that statement. The fact of the matter is that John Walter lives in a little home in Scottsdale, in the county in which I reside, and I desire now to read from a telegram which I received this morning from one of the most reputable attorneys at the bar in our county in answer to a message that I sent to him requesting him to give me the facts in regard to John Walter.

I might say that I know John Walter personally, and I know how feeble he is. The following is the telegram:

GREENSBURG, PA., March 25, 1912.

Hon. CURTIS H. GREGG,
House of Representatives, Washington, D. C.

John Walter pays \$56 taxes this year; property cost him fifteen hundred 20 years ago; wife's whole inheritance of eight hundred is in it. He was in active service 2 years 11 months. Was with Sherman 1 year 2 months. After battle of Resaca was Sherman's private orderly. Sherman took him along to New York, Chicago, West Point, and Louisville. Wished Walter to stay with him on his staff; promised to make him second Lieutenant and advance him. Walter's mother needed him and he came home. Sherman sent him one of his horses. Gave Walter keys to chests and said take money or anything he wanted. Walter took slouch hat worn by Sherman on march to sea. Sherman afterwards sent Walter check for \$75. Walter has letters from General and Mrs. Sherman. At battle of Resaca, Walter in saddle almost continuously four days and three nights. Wore out three horses. Carried dispatches to left wing over ground swept by cross-fire. From history of Fifteenth Pennsylvania Cavalry, page 590, I copy:

"John Walter, of Company K, was another. At the battle of Resaca he so distinguished himself in carrying dispatches on our 14-mile line of battle as to merit the commendation of Gen. Sherman, who personally asked him to be his private orderly, and was retained in that position till July, 1865, when he was discharged. It was Walter who took the verbal order from Gen. Sherman to Gen. Logan to take command of Gen. McPherson's corps after that general had been killed in battle. A staff officer generally does work of that kind, but just then time was an important object. It was a question of minutes, and Sherman took the best he had for his messenger."

I know Walter. The soul of honor, now as helpless as a creeping child.

C. E. HELLER.

Mr. Chairman, to my mind it ill becomes any person upon the floor of this House to attack the reputation of John Walter, or of any soldier of the North in the Civil War. John Walter, like thousands and thousands of others, when Sumter was fired upon, looked upon the flag and saw its sky-born glory blaze against the midnight gloom and caught the courage of its stars. [Applause.] In those days John Walter became a guardian of this Nation and the Nation was John Walter's ward. To-day John Walter is a ward, and he asks the Nation to become his guardian. [Applause.]

I desire to have printed in connection with my remarks the portion of the report of the committee found on the bottom of page 63 and the top of page 64.

The CHAIRMAN. If there be no objection, the request of the gentleman from Pennsylvania will be granted.

The portion of the report referred to is as follows:

H. R. 9611. John Walter, aged 72 years, was enrolled in Company I, One hundred and sixtieth Regiment Pennsylvania Volunteers, August 21, 1862, and mustered out July 5, 1865, as of Company K, Fifteenth Regiment Pennsylvania Volunteer Cavalry, to which he was transferred from Company I, same regiment, to which designation changed from Company I, One hundred and sixtieth Regiment Pennsylvania Volunteers.

Is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Was formerly pensioned under the act of June 27, 1890, at \$10 for chronic diarrhea, rheumatism, and disease of heart, and right inguinal hernia and senile debility.

Address, Scottsdale, Pa.

Board of surgeons, May 11, 1904, found disease of heart, diarrhea, rheumatism, and right inguinal hernia.

Medical testimony is that applicant has endocarditis and arteriosclerosis; has interstitial nephritis, and at times has convulsions as a result; has right inguinal hernia, very hard to retain by a truss; that he is of a rheumatic diathesis, and the joints of both hands are enlarged and motion limited one-half; has rheumatism in legs, shoulders, and arms; frequently suffers from pulmonary edema; that he can not walk, dress, or undress without assistance; that he is emaciated and weak, and unfit for manual labor.

Applicant, it is stated, owns a home worth \$2,500; rents two rooms in his house, gets assistance from a local lodge, and draws a pension of \$15 a month.

It is further shown that the income from the rented rooms will not exceed \$8 per room per month when rented.

An increase to \$30 a month is proper.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. FINLEY having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The committee resumed its session.

Mr. SULZER. I yield five minutes to the gentleman from Georgia [Mr. RODDENBERY].

Mr. RODDENBERY. The gentleman from Pennsylvania, in his remarks, out of his own language and out of the report that he puts in the Record, discloses that the gentleman from Georgia, to whom he made reference, uttered nothing on the floor and placed nothing in the Record that does not literally, word for word, agree with the printed report of the committee on the bill.

I do not rise, therefore, for the purpose of advertizing to the incident in any way. In these five minutes, however, I want to congratulate the House and the gentleman from Pennsylvania that we have reached the point further in this pension legislation when not only Members want the time that the gag rule gives them, where they not only want the right to extend their remarks in the Record, but also want the right, by unanimous consent, to defend their private pension bills which they seek to pass here. Not only have we thus progressed, but they want more than that. When the consular and diplomatic bill is under consideration for general debate they seek to get time from Members who control it so that they may go still further and discuss these pension propositions.

Gentlemen are not so silent now as they were four weeks ago; gentlemen are not so content now as they were four weeks ago; and two weeks hence you will not be as content as you are now. The gentleman from Pennsylvania was one of the towering factors and one of the emphatic voices that gave his vote to suspend all rules and rush this legislation through last week. He joined with the majority in adopting a course that the czarism of the Cannon régime has never approximated.

Mr. GREGG of Pennsylvania. Will the gentleman yield?

Mr. RODDENBERY. I will not. The gentleman can get time to ask me a question when the next pension bill comes up, if he will stand by me and help get time for fair discussion. I will yield to him then. The gentleman from Pennsylvania, along with other Members, put upon us 20 minutes' debate on 250 pension bills, and it is no wonder now that they want unanimous consent to submit a few remarks on pensions.

I introduced this morning a resolution which I hope the gentleman from Pennsylvania will help me get passed so that he can defend his private pension bills, which resolution allows two hours of general debate on private pension bills and gives two hours' debate under the five-minute rule. Under that resolution nobody can filibuster; nobody can take up excessive time under that rule. If you are opposed to a fair investigation of these frauds on the Public Treasury made in behalf of deserters and in the name of the Union soldiers, then vote down my resolution for fair discussion and free debate. We will confront you later with opportunity to vote for freedom of debate and amendment. When you go back home after having obtained additional tribute for this soldier, who has \$2,500 worth of real estate, now drawing \$15 a month pension, and who is supported

partly by his lodge, when you go back home explain to your other pensioners, who are destitute and have nothing, why you did not do something for them, if you can.

Mr. COOPER. Mr. Chairman, I yield five minutes, or so much as he may desire, to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, in order to call to the attention of both sides of the House, especially the other side of the House, the great availability of a certain gentleman as a candidate for the Presidency, I desire to have read in my time a statement of a very eminent statesman and editor concerning one of the Democratic candidates. I send to the Clerk's desk to be read an article which recently appeared in one of the Washington papers.

The Clerk read as follows:

[From the Washington Post, Mar. 14, 1912.]

NO DEMOCRAT, THIS—WILLIAM R. HEARST TAKES MEASURE OF “PROF.” WILSON—LIKE A FISH OUT OF WATER—REALLY A FEDERALIST, HE FAILS UTTERLY IN DEMOCRATIC POSE—MORE SUGGESTIVE OF JUDAS THAN OF ST. PAUL, SAYS PUBLISHER, WHO SEES NO CHANCE FOR HIS ELECTION—AS PRESIDENT HE WOULD BE A POSITIVE DANGER TO COUNTRY AND PARTY—HAS NEVER TOLD WHAT HE BELIEVES.

“Two former presidential candidates, Mr. Gaynor, minority mayor of New York, and Prof. Wilson, occasional governor of New Jersey, have seen fit to accuse me of responsibility for their political demise,” said William Randolph Hearst, who arrived in Washington yesterday.

“I am unworthy of such distinction, and to the posthumous correspondence of these gentlemen I would like to add the following plain statement of fact:

“I am not a candidate for the Presidency, as these gentlemen seem to fear.

“I am, however, committed to the Democratic cause, and I am anxious to see the Democratic Party nominate for the Presidency a genuine Democrat who can be elected.

“Of course in this connection no one seriously considers Mayor Gaynor for a moment.

“Prof. Wilson, on the other hand, has some claim to consideration, but he must and should properly be considered from the viewpoint of whether or not he is a genuine Democrat, and whether or not there is a reasonable chance of his election.

MR. HEARST DEFINES A DEMOCRAT.

“What is a genuine Democrat?

“He is a man who loves and trusts the people, follows reverently in the footsteps of the great leaders of the people, and continually and consistently advocates the basic principles of popular government.

“After reading Prof. Wilson's writings, listening to his speeches, and endeavoring to form an unprejudiced estimate of the man and his manner of thought, I am compelled to conclude that the distinguishing characteristics of Prof. Wilson are that he habitually distrusts the people, has continually deprecated such great popular leaders as Washington, Jefferson, and Jackson, and has spent nine-tenths of his life in denouncing the program and propaganda of popular government that he now pretends to support.

“In my honest judgment, therefore (which is the only thing that can guide my actions), Mr. Wilson is not a Democrat.

“He is not even a Republican. He is a Federalist.

“A Democrat, I say, is a man who sincerely believes in the essential justice and wisdom of popular government.”

A REPUBLICAN DEFINED.

“A Republican is a man who believes in popular government, except where it interferes with his special privileges.

“But a Federalist is a man who distrusts the people and actually desires to limit and restrict the people's power in government.

“At present no Federalist Party exists in the United States, but Federalists exist.

“These Federalists may call themselves Democrats or may call themselves Republicans, but in sentiment and sympathy they are Federalists. They think as Federalists, and when not appealing to the people for political support they act and speak and write as Federalists.

“Alexander Hamilton was the leader of the Federalist movement, the founder of the Federalist idea, and an exaggerated and exalted estimate of Hamilton is the natural and inevitable characteristic of the Federalist disciple.”

PROF. WILSON A FEDERALIST.

“Prof. Wilson, in his ‘History of the American People,’ says of Hamilton:

“Hamilton was above all a statesman. He believed in a centralized government; that the State governments as independent bodies might be extinguished or, at any rate, subordinated; that the new Executive of the Nation might hold for life, and at least one of the National Legislatures for a like term or, at least, during good behavior.”

“Then, later, Prof. Wilson writes:

“‘What shall we do to return safely to Hamilton? We think of Hamilton rather than of Washington when we look back to the policy of the first administration.’

“Prof. Wilson first defines Hamilton's federalistic ideas, then expresses his own federalistic admiration of Hamilton and these policies.

“This was all written when Prof. Wilson was not a candidate for the Presidency and when he was freely and honestly expressing his actual federalistic opinions.

“It was under similar conditions, conducive to genuine expression of actual sentiment, that Prof. Wilson reflected upon Washington and said:

“‘It is for anyone who likes the sinister suggestion to say that Washington's ardor for the occupancy of the western country was that of the land speculator, not that of the statesman.’

PROF. WILSON ON JEFFERSON AND JACKSON.

“It was under similar conditions that Prof. Wilson wrote of Jefferson, the founder of the Democratic Party:

“‘Mr. Jefferson was an aristocrat, who deliberately practiced the arts of the politician and exhibited oftentimes the sort of insincerity which subtle natures yield to without loss of essential integrity.’

“And again:

“‘Washington found Jefferson a guide who needed watching.’

“It was under similar conditions that Prof. Wilson wrote of Andrew Jackson:

“‘The country is older now than it was when Andrew Jackson delighted in his power, and few can believe that it would again approve or applaud childish arrogance and ignorant arbitrariness like his.’

“It was under similar unconstrained conditions, before his natural line of thought was affected by his presidential ambitions, that Prof. Wilson referred to our immigrants from the south of Europe ‘as men of the lowest classes and men of the meaner sort; men out of the ranks where there was neither skill nor energy nor any initiative of quick intelligence. They came in numbers, which increased from year to year as if the countries of the south of Europe were disburdening themselves of the more sordid and hapless elements of their population.’

“The Chinese were more to be desired as workmen, if not as citizens, than most of the coarse crew that came crowding in every year at the eastern ports.

“The unlikely fellows who came in at our eastern ports were tolerated because they usurped no place but the very lowest in the scale of labor.’

NOT DEMOCRATIC UTTERANCES.

“Now, just and gentle reader, whether you approve of Prof. Wilson's admiration for Hamilton and Hamilton's federalistic policies, or whether you do not; whether you approve of Prof. Wilson's aspersions upon Washington, Jefferson, and Jackson, and other popular leaders, or whether you do not; whether you approve of Prof. Wilson's air of snappy superiority and his apparent contempt for the plainer and poorer people and for their idols and ideals, or whether you do not; whether you approve of Prof. Wilson's attitude on all of these matters or not, you must admit that it is not a Democratic attitude, that these are not the utterances of a genuine Democrat.

“Let us do full justice to Prof. Wilson, however. Let us give him the benefit of every doubt.

“Perhaps Prof. Wilson wrote, and thought, and spoke, and taught as a Federalist for the 50 years before he became a candidate for the Presidency, and then actually and suddenly was transformed into a genuine Democrat six weeks after he became a candidate.

“Perhaps so; but can I honestly believe that he was so speedily transformed? Can you believe it?

“Suppose a man had spoken disparagingly of you for 50 years and then had decided to try to borrow some money from you, and had thereupon spoken pleasantly of you?

“Could you believe that he was really your friend, or would you shrewdly suspect that he was only trying to flatter you into doing him a favor?

“Would you think that you were quite safe in intrusting important matters deeply affecting your interests to his hands?

NOT AT ALL LIKE ST. PAUL.

“And if I were your personal adviser, as a conscientious publisher is a trusted adviser of the public, would I be doing my duty to you if I advised you to intrust too much to this changeable man until I felt sure that he had become really your friend and was not merely pretending to be?

“I have a high conception of my journalistic duties and responsibilities, and I adhere to that conception with devotion and without deviation.

“If I were convinced that Prof. Wilson were a genuine Democrat, capable of being elected to the Presidency and of conducting that great office in the interests of the people, I would unreservedly advise the people to support him.

“But being unconvinced of this, I will not advise the people to support him, let all the dogs from Spot to Cerebus howl as they will.

“There are enthusiastic supporters of Prof. Wilson that believe him to be a second Saul of Tarsus, who has seen a great light and been actually converted. I do not believe it.

“There are many definite differences between Prof. Wilson and St. Paul.

“The great light that St. Paul saw was not a light of personal preference, was not a light of public office, was not a light of material advantage.

“St. Paul abandoned material consideration to follow his convictions; he did not merely change his convictions to secure honor and position.

“He sacrificed himself to benefit the people; he did not merely seek to use the people to advance himself.

“He left his home and his people and went out into the world to do good, and did not begin by asking a pension from Herod.

“Neither did he draw a salary from the government while neglecting the duties of office and devoting his time to his personal advancement.

MORE SUGGESTIVE OF JUDAS.

“The constant intrusion of certain pieces of silver into the career of our modern convert is more suggestive of a Judas than of a St. Paul.

“Finally, not only St. Paul's acts, but St. Paul's words rang true.

“St. Paul spoke clearly and fearlessly, whatever he thought, and every follower was able to understand exactly what he meant.

“But who can know or state with any definiteness what Prof. Wilson actually thinks of the leading questions of the day?

“At the Jackson day harmony dinner in Washington, in the midst of the utter silence Prof. Wilson insists upon before he begins his address, a sturdy Western Democrat at one of the tables said so all could hear:

“‘Now, Professor, tell us what you think to-night.’

“It was not too much for a Democrat to ask of a candidate for the Democratic presidential nomination, but Prof. Wilson did not respond, either directly or in his speech.

“Prof. Wilson was not asked to state what he had thought of Jackson and Jefferson in times past. He was not asked to repeat his criticism of recent Democratic platform and recent Democratic candidates.

“He was not asked to explain his altered attitude on many progressive policies.

“He was only asked to state definitely what he thought that night.

“He did not explain definitely, and he never does explain definitely. He asks all Democrats to forget his past attitude, but is not willing to make them understand his present one.

GOV. WILSON'S IDEAS UNKNOWN.

“Prof. Wilson has made more speeches than all the other candidates for the Presidency in all the other parties combined, and still he has not yet been able definitely to state what he really believes.

“To those who ask for bread, Prof. Wilson distributes the polished pebbles of his oratory. They may be brilliant; they may be beautiful, but they are not bread; they are but stones.

“Prof. Wilson, who formerly ridiculed and reviled the initiative, referendum, the recall, and direct nominations, and educated his students to oppose these popular measures, now says that he believes in the

initiative in a way, and in the referendum in part, and in the recall on certain occasions, and in direct nominations under certain conditions.

"He thinks that the tariff is an issue, but he has been unable clearly to formulate his tariff program.

"He concedes that the trust question is a leading one, but he has been unwilling clearly to explain how he purposed to deal with the trust question.

"Prof. Wilson modifies every statement, qualifies every utterance, and stands nicely balanced on every issue, ready to retreat or advance as occasion requires.

"If Prof. Wilson's inconsistencies and contradictions, his un-Democratic and un-American utterances, should not become sufficiently well known before the convention to prevent his nomination, they will certainly become well enough known during the campaign to prevent his election.

"And while defeat at the polls is not what the Democrat desires, that defeat would certainly be better for the party in the long run than the election of a man who is not in heart and action a Democrat.

DEMOCRATIC POSE ASSUMED.

"The whole trouble with Prof. Wilson is that he is not a Democrat, and does not know how to be a Democrat. His Democratic pose is assumed, and, therefore, awkward and unnatural.

"He is a fish out of water. In the pursuit of his ambitions he has left the federalistic element in which he knew how to swim and has come out upon the Democratic land upon which he does not know how to walk.

"As a candidate for President he would be a pitiful disappointment.

"As an actual President he would be a positive danger to his party and to the country. A Democratic President who is not a Democrat would be a failure, and the failure of an administration for which the Democratic Party could be held responsible would mean the expulsion of Democracy from power for another score of years.

"These are my reasons for not supporting Prof. Wilson. They may or may not be sound. At least they are not selfish.

"I have a fairly accurate faculty for detecting frauds, as Mayor Schmitz and Mayor Gaynor, as Senator BAILEY and Senator Foraker, as District Attorney Jerome and Gov. Dix can testify.

"I unhesitatingly classify Prof. Wilson in the same category as the above worthies, and confidently wait for time and events to prove the accuracy of my judgment."

Mr. HUGHES of New Jersey. Mr. Chairman, I ask to have an editorial from the New York World read in my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

[From the New York World, Mar. 15, 1912.]

BEING A DEMOCRAT.

Sadly and sorrowfully the Hon. William Randolph Hearst reads the Hon. Woodrow Wilson out of the Democratic Party.

In a long and anguished letter to the Washington Post, Mr. Hearst says of the governor of New Jersey:

"The whole trouble with Prof. Wilson is that he is not a Democrat, and does not know how to be a Democrat. His Democratic pose is assumed, and, therefore, awkward and unnatural."

But is there no hope for Woodrow Wilson? Can he never scale the exalted heights of Democracy which Mr. Hearst has attained? We know, of course, that Gov. Wilson began wrong, but perhaps the mistakes of the past can be remedied.

To be truly Democratic, Gov. Wilson should have run as a municipal-ownership candidate for mayor in 1905 in order to defeat the regular Democratic candidate.

In 1906 Gov. Wilson should have spent \$250,000 organizing an Independence League to name him for governor, and then used this league to club a stolen nomination from Murphy after Grady had "done the dirtiest day's work of my life."

In 1907 Gov. Wilson should have gone into partnership with the Republican bosses and the Republican machine and placed a "fusion" ticket in the field against the Democratic ticket.

In 1908 Gov. Wilson should have financed and nominated an independent Presidential ticket to help Taft and Roosevelt defeat Bryan.

In 1909 Gov. Wilson should have run as an independent candidate for mayor against the Democratic candidate, with the support of Chauncey M. Depew, the Republican bosses, and other "reform" elements.

In 1910 Gov. Wilson should have been an independent candidate for Lieutenant governor in the hope of defeating the Democratic ticket and keeping the Republicans in power in Albany.

In 1911 Gov. Wilson should have again nominated a "fusion" ticket in partnership with the Republican machine. Then, as soon as his "fusion" ticket was beaten and it became apparent that the Democratic Party had a chance of winning the Presidency, he should have formally announced his return to Democracy.

Woodrow Wilson may not know "how to be a Democrat," but William Randolph Hearst knows. In comparison with Mr. Hearst, no other Democrat ever was a Democrat. He is the only known specimen of his kind.

Mr. HUGHES of New Jersey. Mr. Chairman, I ask unanimous consent that the editorial just read be printed in the RECORD, to follow the editorial submitted by the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SULZER. Mr. Chairman, how much time has the other side remaining?

The CHAIRMAN. The gentleman from Wisconsin has used 27 minutes.

Mr. SULZER. I yield to the gentleman from Texas [Mr. GARNER].

[Mr. GARNER addressed the committee. See Appendix.]

Mr. SULZER. Mr. Chairman, I yield to the gentleman from New York [Mr. CONNELL].

Mr. CONNELL. Mr. Chairman, I desire to have read from the Clerk's desk a selection from a speech delivered last night in the city of New York by a former President of the United States bearing on the condition of the Republican Party.

The Clerk read as follows:

"It is your fight; it is not a fight for me," he concluded. "It is a fight for you. I am trying to keep the Republican Party true to its traditions of 60 years. The Republican Party was founded to protect the oppressed and to rule in behalf of the lowly and to give us a genuine rule of the people. Our opponents are false to the great traditions of the party when they try to twist and turn it into an instrument of privilege and the great special interests. I want the Republican Party to be as it was in the days of Lincoln."

Mr. SULZER. Mr. Chairman, I yield 20 minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. COOPER. Mr. Chairman, how much time is left on this side?

The CHAIRMAN. The gentleman from Wisconsin has 33 minutes left.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I have asked this concession of time to discuss a bill which is not now pending, but which will be before the House in a few days, when it will be impossible for me to be present. That is a bill that proposes to lay a tax on matches, in the manufacture of which phosphorus is used. It has been reported by the Committee on Ways and Means, and I understand will come up in a few days, and because of my opposition to the bill I want to make a few remarks this morning in justification of the vote that I expect to cast against it, because I will not have the opportunity to speak when the bill comes before the House.

The bill, in my opinion, is contrary to correct economic policy. It is contrary to all the teachings of the Democratic Party, so far as I am able to understand it. It is not the purpose to raise revenue for which this tax is levied on these matches. That is confessed. The purpose is to destroy the industry because the use of phosphorus in the manufacture of matches creates or engenders disease among the operatives, and for that reason it is proposed to tax the industry to death. That, according to my opinion, is contrary to the Democratic theory of the taxing power of the Federal Government.

The constitutional authority under which the taxing power is exercised is in the following language:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises—

And so forth. If there is any limitation upon the power to lay and collect taxes, that same limitation applies to the power to "lay and collect imposts and duties." If there is any limitation on the power to collect "imposts and duties," that same limitation must apply to the collection of "taxes." I think no lawyer will controvert that proposition. They are all contained in the same section.

I desire now to call the attention of the Democratic side of this House particularly to the position which our party has taken on that fundamental principle. The last victory that we won in the country was in 1892, and I hope that now, as we are entering upon this campaign, believing that we ought to be successful, we will not give the lie to the declaration of principles upon which we went to the country in 1892 and secured a favorable verdict.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Certainly.

Mr. COOPER. The gentleman said he believed the Democratic Party ought to be successful. Does he believe they will be successful?

Mr. HUMPHREYS of Mississippi. Mr. Chairman, of course individual opinion amounts to very little. I believe we will be successful, and I know we ought to be. [Applause on the Democratic side.] In the platform of 1892 the Democratic Party said this:

We declare it to be a fundamental principle of the Democratic Party that the Federal Government has no constitutional power to impose and collect tariff duties except for the purpose of revenue only, and we demand that the collection of such taxes shall be limited to the necessities of the Government when honestly and economically administered.

I believe that to be correct governmental policy. I believe that to be the only purpose for which the power to lay and collect taxes was granted to the Federal Government when our Constitution was framed; and if Democrats expect to go to the country denouncing the policy of laying imposts and duties for purposes other than raising revenue, I ask how can we expect the people to take us seriously if now, in this Democratic House, we abandon that theory and deliberately lay taxes here for a purpose other than to raise revenue?

Mr. BURLESON. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Certainly.

Mr. BURLESON. Mr. Chairman, I will say to the gentleman that I am in full sympathy with the views being expressed by him. As I understand his position it is that this attempt to suppress the manufacture of these phosphorus matches by levying taxes on matches is a misuse of the taxing power.

Mr. HUMPHREYS of Mississippi. Yes.

Mr. BURLESON. Just as the Democratic Party contended, in days gone by, that the levying of a tax on State banks of issue was an abuse of the taxing power.

Mr. HUMPHREYS of Mississippi. Absolutely.

Mr. BURLESON. And that the attempt to tax out of existence the oleomargarine industry was a prostitution of the taxing power.

Mr. HUMPHREYS of Mississippi. I agree fully with that.

Mr. MANN. When did the Democratic Party take that position about oleomargarine?

Mr. BURLESON. That has always been its policy.

Mr. HUMPHREYS of Mississippi. Whatever position the Democratic Party took on the oleomargarine question I know not. The matter was never mentioned in any platform.

Mr. BURLESON. But the same principle applied.

Mr. HUMPHREYS of Mississippi. Absolutely; and that bill when it was before the House did not receive the vote of a majority of the Democratic Members of the House, but was objected to by them.

Mr. BURLESON. On this very ground.

Mr. HUMPHREYS of Mississippi. And I am glad to say that it also was objected to by the distinguished leader of the minority, Mr. MANN.

I would not be misunderstood. My information upon the matter of the phosphorus matches is very meager, and with all due respect to the House I think the information which this House has is very meager. Assuming, however, that all that is claimed by the proponents of this bill is true, and that the operatives in these factories are subjected to conditions which render them liable to contract and spread this loathsome disease—admitting all that to be true, if I were a member of a legislature of one of the States, clothed with absolute power to deal with the question, I would not hesitate then to enact such legislation as would be necessary to stamp out that industry and forbid it. But that is a matter which has not been confided to the Federal Congress by the Constitution, and if this bill were amended in its title so as to show the truth, that it is a bill "to protect the health of the operatives in these factories," or a bill "to suppress the manufacture of phosphorus matches," the Supreme Court, I take it, would not hesitate to declare it unconstitutional.

In the cases that have come before the court heretofore respecting oleomargarine, the bank tax and the opium tax, the court has had too much respect for the legislative branch of the Government to assume that we were proceeding under false pretenses. For that reason the court would not go behind the declaration of Congress that the oleomargarine bill was a bill to raise revenue. In the system of government under which we live there are certain powers vested in Congress and certain powers reserved to the States.

Gentlemen insist that the Federal Congress alone has the power to stamp out this enterprise and protect the lives and health of the operatives in these factories. I deny this. I assert on the contrary that the Federal Government has no such power, but that the States in which these factories are located do have ample, full, and exclusive power. It is absolutely a matter of police power, and the police power was not delegated to the Federal Government outside of the District of Columbia and the Territories, and the Constitution states in express words, so that no man might ever misunderstand it, that—

The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively, or to the people.

In the license cases reported in the Fifth Howard, the Supreme Court of the United States said:

* * * The acknowledged police power of a State extends often to the destruction of property. A nuisance may be abated. Everything prejudicial to the health or morals of a city may be removed. Merchandise from port where a contagious disease prevails, being liable to communicate the disease, may be excluded; and in extreme cases it may be thrown into the sea. This comes in direct conflict with the regulation of commerce; and yet no one doubts the local power. It is a power essential to self-preservation and exists necessarily in every organized community. It is indeed the law of nature, and is possessed by man in his individual capacity. He may resist that which does him harm, whether he be assailed by an assassin or approached by poison. And it is the settled construction of every regulation of commerce that, under the sanction of its general laws, no person can introduce into a community malignant diseases, or anything which contaminates its morals or endangers its safety. And this is an acknowledged principle applicable to all general regulations. Individuals in the enjoyment of their own rights must be careful not to injure the rights of others.

From the explosive nature of gunpowder a city may exclude it. Now, this is an article of commerce, and is not known to carry infectious disease; yet to guard against a contingent injury, a city may prohibit its introduction. These exceptions are always implied in commercial regulations, where the General Government is admitted to have exclusive power.

They are not regulations of commerce, but acts of self-preservation. And although they affect commerce to some extent, yet such effect is the result of the exercise of an undoubted power in the State.

Just one more sentence from the same case. I read now from the opinion of Justice Grier, speaking of the police powers:

As subjects of legislation they are from their very nature of primary importance; they lie at the foundation of social existence; they are for the protection of life and liberty, and necessarily compel all laws on subjects of secondary importance which relate only to property, convenience, or luxury to recede when they come in conflict or collision. *Salus populi suprema lex.*

I could quote any number of decisions from the same court, but the question is too well settled to admit of controversy.

In the case of McCulough against Maryland, with which we are all familiar, the great Chief Justice laid down the rule by which to test the application of the implied powers of the Constitution in these words:

Let the end be legitimate; let it be within the scope of the Constitution; and all means which are appropriate, which are plainly adapted to that end, which are not prohibited but consistent with the letter and spirit of the Constitution, are constitutional.

Will any gentleman on this floor, will any Democrat who subscribes to the fundamental principle of the Democratic Party, "that the Federal Government has no constitutional power to impose or collect taxes except for the purpose of revenue only," insist that the end sought to be attained by this bill is "legitimate"; that it is "within the scope of the Constitution"? No one pretends that the purpose of this bill is to collect revenue. In the report which accompanies the bill the committee plainly declares that the purpose of the bill is not to raise revenue. I quote from the report:

The committee have always been responsive to the humanitarian demands of the situation, but from the beginning have been confronted with the difficult problem of determining the advisability of using the taxing power of the National Government to suppress the use of poisonous phosphorus in this industry, which, as has been shown in other countries that prohibit the use of poisonous phosphorus, can be carried on without it, profitably and satisfactorily. It is believed, however, that a situation like the one now presented in the match industry will rarely arise, and hence the committee feels that their action in favorably recommending the passage of H. R. 20842 will not serve as a precedent for the general employment of the taxing power to correct objectionable features of industries. Not only have the European countries prohibited this evil by legislation, but in 1906 they entered into the Berne treaty to prohibit it. Most of the American manufacturers are willing to have the use of poisonous phosphorus prohibited in the match industry, but no one of them desires to stand alone in eliminating it, as that would put such a manufacturer at great disadvantage. This is due to the fact that the other methods used in making matches are slightly more expensive, but, according to the testimony, not so much as to affect the price of matches to the consumer.

Now, note the concluding sentence of the report:

From this view of the situation the committee is determined, without admitting the establishment of any precedent, to recommend the passage of H. R. 20842.

Angels and ministers of grace, defend us! Without admitting the establishment of any precedent! Whenever in the future it becomes desirable in the opinion of a majority on this floor to invade the police power of any State, to tax out of existence any industry which the States may choose to authorize, but which for any reason whatsoever Congress may prefer to destroy, is it the opinion of this committee that after the passage of this bill, which acknowledges and declares that Congress has such power under section 8 of Article I of the Constitution, no one will point to it as a precedent, simply because in their report they refused to admit it to be?

Mr. Chairman, I have made no attempt to prepare a speech upon this subject, and I am speaking at random, but I want to call the attention of the committee in the few minutes I have to the following. Chief Justice Marshall, in my opinion the greatest jurist in the tide of time, and according to the opinion of Jefferson the chief sinner among the broad constructionists, said this:

Inspection laws, quarantine laws, health laws of every description form a portion of that immense mass of legislation which embraces everything within the territory of a State not surrendered to the General Government. No direct general power over these subjects is granted to Congress, and consequently they remain subject to State legislation.

Is it necessary to quote authority for the statement that the Democratic Party has always adhered to the doctrine that the activities of the General Government should be strictly confined to the exercise of the powers surrendered to it by the Constitution and has insisted that the reserved powers of the States should not be encroached upon? Let me read what the Democratic platform says upon that subject:

During all these years the Democratic Party has resisted the tendency of selfish interests to the centralization of governmental power and steadfastly maintained the integrity of the dual system of government established by the founders of this Republic of republics. Under its guidance and teachings the great principle of local self-government has found its best expression in the maintenance of the rights of the States and in its assertion of the necessity of confining the General Government to the exercise of the powers granted by the Constitution of the United States.

That, in my opinion, is the correct policy. If we are now to go on record as a party—and the Democratic Party is respon-

sible for whatever legislation is enacted in this House—as abandoning that policy at this time, let no man lay the flattering unction to his soul that this will not some good day in the future rise up to vex us. Those of us from the part of the country from which I hail do not have to dip into the future far as human eye can see to find an instance where this power will be misused and, as the gentleman from Texas [Mr. BURLESON] said, prostituted. It has already been done. If we can exercise the power to lay taxes for any other purpose than to raise revenue, then we can exercise that power for any purpose that suits our fancy or convenience.

A few years ago, for the sole and only purpose of destroying an enterprise which was competing with another industry in this country, this power was invoked and a prohibitory tax levied on the manufacture of oleomargarine, not because oleomargarine was an unhealthful diet, not because it was a food which was deleterious to health, because the expert testimony showed that it was not, but solely because one industry in this country was powerful enough upon the floor of this House to strangle another industry which came in competition with it. So it shall come to pass with other industries in the future, if we continue along the course pointed out by this bill.

The States have the power to suppress this industry if they want to do it, and I have no respect for a State that would come to Congress and say, "If we, in the exercise of the power which is ours under the Constitution, stamp out these disease-breeding enterprises, other States will let it exist, and therefore we will have crippled an industry in our own State by subjecting it to unfair competition, and some gentlemen who are now making money out of it will not be able to do so thereafter." In other words, when it comes to choosing between destroying an enterprise which breeds diseases that kill women, children, and men and fostering that enterprise because it pays dividends, and the legislature of a State, clothed with full power to act, deliberately prefers to foster that enterprise unless Congress will outlaw all similar and competing enterprises elsewhere, then I say that State has not my respect. Now, I want to read just a little passage from Washington's Farewell Address referring to the lodgment of power in separate sovereignties in the dual system of this country. I want to call attention to this because Washington was not a Democrat. I have called attention to the opinion of Marshall, who was not a Democrat. Listen to this:

It is important that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus—

Now, mark these words—

and thus to create, whatever the form of government, a real despotism. If, in the opinion of the people, the distribution or modification of constitutional powers be in any particular wrong, let it be corrected by amendments in the way which the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument of good—

And we are assured by those gentlemen advocating this bill that in this particular instance it will be an instrument of good—

for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed.

Now, Mr. Chairman, I want—

Mr. MANN. Has the gentleman time to yield?

Mr. HUMPHREYS of Mississippi. I will be glad to yield.

Mr. MANN. We can probably get more time for the gentleman. The gentleman has been talking about the levying of an internal-revenue tax upon white phosphorus matches. I believe the gentleman is aware that the bill to which he refers goes a great deal further than that.

Mr. HUMPHREYS of Mississippi. Oh, yes.

Mr. MANN. It provides that the manufacturer of matches of any kind shall conduct his business under the surveillance of officers and agents of the Commissioner of Internal Revenue, shall furnish bond, be penalized if he does not register with the collector of the district—

Mr. HUMPHREYS of Mississippi. Yes.

Mr. MANN. It could go no further, unless we make the same requirement of everybody in any kind of business—

Mr. HUMPHREYS of Mississippi. Absolutely. It means to take over all business in all the States whenever in the opinion of Congress—think of it, whenever in the opinion of Congress—the States are not enforcing their police powers in such a manner as to command it to the wisdom of Congress, and that, too, under the guise of the exercise of the taxing power. This report says that it is not the purpose to collect revenue; in fact, if they thought anybody could pay it, they would raise the tax higher, so as to make it impossible for them to pay it.

Mr. MANN. There is no revenue here imposed upon matches other than white phosphorus matches.

Mr. HUMPHREYS of Mississippi. No.

Mr. MANN. But under the bill any manufacturer of red-top matches must conduct his business under the control of Treasury agents. Does the gentleman think that even by any broad stretch of imagination the Constitution of the United States conferred that authority upon Congress over business located in the States?

Mr. HUMPHREYS of Mississippi. I do not.

Mr. STANLEY. Will the gentleman permit a question? What is the difference between the authority extending the power of Congress over the business of matches by this bill and the authority conferred by Congress—

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. STANLEY. I ask that the gentleman's time be extended one minute.

Mr. COOPER. I yield five minutes additional to the gentleman.

Mr. STANLEY. And the authority exercised by Congress over the manufacture and distillation of, say, spirits, vinous and malt liquors.

Mr. MANN. So far as the bill proposes to levy internal-revenue tax, of course, Congress has the authority, but if Congress did not levy an internal-revenue tax on the manufacture of spirituous liquors, I take it no one would claim they could go into a State and control the manufacture of liquor or that they could control the manufacture of any article on which they did not impose a tax, as this bill proposes to do.

Mr. STANLEY. The purpose of the bill, as I understand it, is to secure a tax—

Mr. MANN. The levying of a tax upon white phosphorus matches does not confer any authority to go into the business of the manufacturing of some other kind of matches upon which no tax is levied.

Mr. HUMPHREYS of Mississippi. The time may come, let me to say to the gentleman from Kentucky, when in this House there will be a sufficient majority which will reach the conclusion that the sale of alcoholic liquors and the manufacture of whisky and beer in this country are bad things. And therefore Congress will levy a tax, if necessary—

Mr. MANN. The time is here now.

Mr. HUMPHREYS of Mississippi. Yes; perhaps the time is here. And Congress will levy a tax of \$100 or \$500 a gallon on whisky and \$100 a barrel on beer and destroy the industry.

Mr. STANLEY. I think it will have this right.

Mr. HUMPHREYS of Mississippi. I think if it has this right, it will have that. And there can be no question of the fact that whisky has wrecked more homes than the manufacture of white phosphorus matches. It has spread more disease and caused more human suffering and more tears and more crime in this country than the manufacture of phosphorus matches or the manufacture of anything else. And if we can go into the States and break down the barriers that were set by the Constitution and regulate this matter, we can go into the State and regulate any other matter that suits our sweet will. And if we have the police power, or, rather, if we usurp police power, to say that no State may manufacture whisky or beer, then we can also by the same usurpation say that no State can prohibit such manufacture.

I want to close with this. It is an extract which is familiar to you all, and one which ought to be, in my opinion, a lamp to our feet, a guide to our actions in this House, whenever we come to determine whether a reserved power shall remain with the State or whether the Federal Government shall go into the State and destroy it:

The support of the State governments in all their rights as the most competent administrations for our domestic concerns and the surest bulwark against antirepublican tendencies, the preservation of the General Government in its whole constitutional vigor as the sheet anchor of our peace at home and safety abroad.

That you all recognize as an extract from Mr. Jefferson's first inaugural address, and I hope in this day of grace when we are looking to the 100th of next November to bring the great party which he founded back into power in this Government, we will not handicap those who go upon the stump this summer to advocate the principles of that party and to inveigh against the policy of levying taxes for any purpose save for that only of raising revenue; and I therefore hope that this House will not pursue the fatal policy provided in this bill. [Applause.]

Mr. COOPER. Mr. Chairman, I yield to the gentleman from South Dakota.

Mr. BURKE of South Dakota. Mr. Chairman, I am receiving a great many letters and petitions from my constituents in opposition to any legislation looking to the restoration of the canteen in the Army, and many of them from ministers.

Recently I received a letter from one of my good ministerial friends, an earnest Christian worker, the Rev. John T. Brabner Smith, of Blunt, S. Dak., requesting that I have inserted in the RECORD a letter dated January 10, 1912, from Gen. Frederick D. Grant, in which he expressed the opinion that the canteen ought not to be restored, and in compliance with that request and for the information of the House, I submit the letter, which is as follows:

GEN. FREDERICK D. GRANT OPPOSES RESTORATION OF CANTEEN.

(In a letter to the editor of the Union Signal, Gen. Grant states that, owing to the changed conditions in the Army, he would not recommend the restoration of the canteen.)

GOVERNORS ISLAND, N. Y., January 10, 1912.

My DEAR EDITOR: In reply to your telegram, I hasten to say that many times in the past, in official reports, I have recommended the restoration of the canteen in the Army.

This I did, believing that the canteen was the lesser of two evils. In the course of 10 years the enlisted personnel of the Army has changed, and the soldiers who are now in the Army have adjusted themselves to present conditions.

If the question were left to me, owing to this change of conditions, I would not recommend the restoration of the canteen.

Yours, very truly,

FREDERICK D. GRANT.

Mr. SULZER. Mr. Chairman, I ask that the Clerk now proceed to read the bill under the five-minute rule.

THE CHAIRMAN. The Clerk will read:

The Clerk read as follows:

Total, \$555,500.

Mr. SULZER. Mr. Chairman, the total should be \$550,500. I move to amend by striking out the word "five" before the word "thousand," in line 2, page 3.

THE CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 3, line 2, by striking out the word "five" before the word "thousand."

THE CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Chinese secretary, legation to China, \$3,600.

Mr. HAMLIN. Mr. Chairman, I reserve a point of order on the paragraph, line 11, for the purpose of making an inquiry of the chairman of the committee. This seems to be a new paragraph, and I would like to inquire the necessity for including this paragraph in the bill this year.

Mr. SULZER. Mr. Chairman, the titles of these officials have been slightly changed. The Japanese secretary to the embassy at Japan has always received a salary of \$3,600, and the same is true with regard to the Chinese secretary.

Mr. HAMLIN. I am not referring to the Chinese secretary. That is true. But the Turkish secretary of embassy seems to be new entirely.

Mr. SULZER. Mr. Chairman, the title of this secretary was made the same as the title of the secretary to China and Japan. The salary of the secretary of embassy to Turkey was made the same as the salary of these other two secretaries, because he performs not only the same duties, but greater and more important and onerous duties.

Mr. HAMLIN. Heretofore, however, there has been no secretary of the embassy to Turkey, has there? There has been no salary paid—

Mr. SULZER. Oh, yes. The salary was \$3,000.

Mr. HAMLIN. Then this does not change the salary at all?

Mr. SULZER. Yes; it increases the salary \$600, making it the same as the salary of the Chinese secretary and the Japanese secretary.

Mr. MANN. Do you not think it the same thing? You formerly had an interpreter there.

Mr. HAMLIN. It occurred to me that in the bill a year ago and in the preceding years—

Mr. MANN. Now, you propose to give him the rank of secretary?

Mr. SULZER. Quite so. It is recommended by the State Department, and the testimony before the committee shows that this official performs the duties of a secretary, and that these duties are very responsible and important. Our relations with Turkey are becoming more important every day, and it is necessary that we should have a secretary to the embassy.

Mr. MANN. You expend more money there than anywhere else and get fewer results.

Mr. SULZER. Not at all.

Mr. MANN. I think we expend more money there than in any other embassy and get less results.

Mr. HAMLIN. While I am on my feet, in that same connection, there appears on page 6 of the bill—

Mr. SULZER. We will discuss that when we reach it.

Mr. HAMLIN. I do not know whether we had better wait. It will depend as to whether I make the point of order on the explanation that is made.

Mr. SULZER. Let us take it up when we reach page 6.

Mr. HAMLIN. But I would like to inquire now what is the necessity of a secretary and assistant secretary.

Mr. SULZER. I shall be glad to explain it.

Mr. HAMLIN. I do not know whether I shall waive the point of order here without an explanation. In the same bill there is an item creating a new office of assistant secretary, at \$2,000.

Mr. KENDALL. I think that matter is explained very satisfactorily on page 6 of the hearings by the Secretary of State, in which he said that the demands on the Turkish secretary in Constantinople are so great that he thinks he ought to have an assistant, and he explains here the demands that are made upon an additional secretary.

Mr. HAMLIN. There is no secretary there now.

Mr. KENDALL. The gentleman has been performing the functions of a secretary under a different name. Now he is called a secretary.

Mr. SULZER. That is the only difference, and a slight increase of pay—the only increase of salary in the entire bill.

Mr. HAMLIN. As I understand the facts, you have increased it \$2,000—\$600 to the secretary and \$2,000 to the assistant.

Mr. SULZER. Mr. Chairman, the assistant secretary is new, because the secretary there is unable to perform the duties required of him. He has too much to do. It is a very important diplomatic post. There is a great deal of work to be done by our embassy in Constantinople.

Mr. KENDALL. Will the gentleman from New York yield for just a moment?

Mr. SULZER. Certainly; in a moment. On page 6 of the hearings before the committee Secretary Knox said: "The demands upon the Turkish secretary at Constantinople are so great that we thought he ought to have an assistant, and the suggestion is that the assistant be chosen from the student interpreters who have been trained for work of this character. We utilize those student interpreters wherever we can."

Mr. KENDALL. The State Department has selected one of the student interpreters to be the assistant secretary, and that will relieve the Government of the expense of maintaining that one student interpreter who becomes the assistant secretary to the secretary of the embassy, so that no additional expense is involved to the Government by the appointment of the assistant secretary.

Mr. MANN. Is the gentleman quite certain about that? Is it not a fact that for years we have been appropriating for student interpreters at this embassy, and that we will continue hereafter the same number of student interpreters that are now there? We make in this bill the same appropriation for student interpreters that we have heretofore made. But the fact is they have discovered a bright young man who is a student interpreter, and they want to retain him in the service, and propose to offer him \$2,000 and call him an "assistant secretary."

Mr. KENDALL. I have no doubt it will be necessary to maintain a corps of student interpreters at that point for a long time—indefinitely, perhaps. That is the opinion of the Secretary of State. The student interpreter in this case who is to be advanced to the position of assistant secretary of the embassy is, as the gentleman from Illinois suggested, an exceptionally bright young man, and I think that arrangement ought to be made there.

Mr. MANN. But there will be no reduction in the number of student interpreters.

Mr. KENDALL. I have not said that there will be a reduction in the expense of maintaining these student interpreters.

Mr. HAMLIN. I understood the gentleman to say that this will not involve an increased expense in the maintenance of student interpreters.

Mr. KENDALL. I think this promotion of the student interpreter to assistant secretary will not increase the expense.

THE CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER. Mr. Chairman, I ask unanimous consent that the gentleman from Iowa be allowed to finish his statement.

THE CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KENDALL. But I think that the necessity which now exists for the maintenance of a corps of student interpreters in Turkey will continue indefinitely, and that it will be necessary in the future to increase the number as our business expands there and a greater variety of work devolves upon the foreign office there.

Mr. HAMLIN. Mr. Chairman, I want to take occasion now to say that I believe that the committee are to be congratu-

lated upon the work they have done in the preparing of this bill. I do not want to put myself in the position of criticizing their work, but I am also thoroughly convinced that there is no end to the demands for increased salaries and increased positions, not only in the State Department, but in the other departments of the Government. I only reserved this point of order, and may make it with the hope of finding out now why this increase is recommended. There is an increase unquestionably. The statement of the gentleman from Iowa [Mr. KENDALL] convinces me thoroughly that there is an increase of \$600 a year for this one secretary, and then an increase of \$2,000 in the position of the assistant secretary, which is sought to be created by this bill. As the gentleman from Illinois [Mr. MANN] very well said, it will not do to say that there will be no increase because a student interpreter is to be selected for this place, because another student interpreter will take his place; and, of course, we would be at the same expense for him that we would be for this one. I believe there ought to be some good reason given for this increase of expense of \$2,600 to this one embassy to Turkey before these increases are permitted to pass in this bill.

Mr. SULZER. Will the gentleman allow me?

Mr. HAMLIN. Yes.

Mr. SULZER. I will say to the gentleman from Missouri that the estimate submitted for these secretaries was \$5,000 each—a total of \$15,000. The bill as reported by the committee appropriates only \$10,800, a decrease of \$4,200 from the estimates submitted. This amount is made up by the items to pay the salary of the Japanese secretary at Tokyo, \$3,600; the Chinese secretary at Peking, China, \$3,600; and the Turkish secretary at Constantinople, Turkey, \$3,600. Let me explain that these officers are not, as their titles seem to imply, Japanese, Chinese, and Turkish. They are all American citizens. The Japanese secretary at Tokyo now receives \$3,600 salary, the Chinese secretary at Peking now receives a salary of \$3,600, and the official doing the work of the Turkish secretary at Constantinople has received for years a salary of \$3,000.

These posts can be properly filled only by men who have spent a large part of their lives in the countries named and are, in addition, students and scholars. Owing to the highly specialized character of their work, the tenure of these three posts should be of comparatively long duration, and for the same reason these positions should be at least equal in dignity and in salary to the average consular post in China, Japan, and Turkey.

Moreover, there has been established in these countries the system of student interpreters appointed to study the language of the country to which they are assigned for duty with a view to qualifying themselves for appointment to the diplomatic or consular posts in those countries which require a knowledge of the native language. After completing their language studies these students become eligible to the various grades of the Consular Service, and may ultimately attain the highest, at salaries ranging from \$6,000 to \$8,000. The language secretaryships at these three missions should be graded in point of rank and salary as to attract the best of the available men who possess the requisite knowledge of the language and other special qualifications to these posts, rather than to the more lucrative but less responsible consular appointments.

The Secretary of State, in the estimates for 1913, recommended that the salary of each one of these secretaries be raised to \$5,000. The committee has left the salaries of the Japanese secretary and the Chinese secretary as they are now, at \$3,600, and has increased the salary of the Turkish secretary from \$3,000 to \$3,600, to put this official upon an equality in salary with the other two; and he certainly ought to be put upon that equality.

The Secretary of State is of opinion that the increase recommended should be allowed, as more commensurate with the importance of these officers and the work performed by them. In his letter explaining the estimates, House Document 341, Sixty-second Congress, second session, the Secretary of State, in support of this recommendation, says as follows:

The official correspondence between the Chinese Government and the legation is conducted in the Chinese language.

Mr. HAMLIN. I am not raising any question about the Chinese secretary, but—

Mr. SULZER. Does the gentleman want to know about the Turkish secretary—

Mr. HAMLIN. Yes; about this officer in Turkey and his assistant.

Mr. SULZER. It does not create a new office. It is just a new title. The official there now receives \$3,000. He is an American and has received that salary for a number of years past.

Mr. HAMLIN. What is the necessity of increasing his salary? Simply to bring him up to the level of the others?

Mr. SULZER. He does the same work, only more; and we propose to make his salary the same because he is doing that work and more important work. That is all there is to that.

Mr. HAMLIN. I withdraw the point of order on this particular item, but I may renew it on the other when we reach it.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. Why do the secretaries to Japan, Turkey, and China draw more salary than the secretaries to Great Britain, France, Germany, and those other countries?

Mr. SULZER. Because of their peculiar importance, and the responsibilities are much greater.

Mr. MADDEN. In what respect?

Mr. SULZER. The official correspondence between the embassies and the foreign Governments is all carried on in Chinese, Japanese, and Turkish, as the case may be, and it involves a great deal of technical knowledge, proficiency in translation, and familiarity with languages.

It is impossible to get a competent man to take one of these places and live decently for less than \$3,600 a year. As I said to the gentleman from Missouri [Mr. HAMLIN], the Department of State was insistent that these gentlemen should receive salaries of \$5,000 a year, but the Committee on Foreign Affairs did not think it advisable or deem it expedient to recommend the increases this year. We have been exceedingly economical in every line of this bill, keeping ever in view the importance of the service and determined not to cripple its efficiency in any way. I know some salaries should be increased. The reasons for it are meritorious, but we did not see our way clear to do it this year.

Mr. MADDEN. Is it generally considered, then, that the work of the secretaries in these three countries is more important than the work of secretaries in other important countries?

Mr. SULZER. There is no question about that. It is very difficult to get American citizens to take these places who can talk and write Chinese and Japanese and the Turkish languages.

Mr. MADDEN. I presume that the increased salary is largely due to the fact that they are required to understand the language?

Mr. SULZER. Yes; and they perform other and more important duties than the secretaries at the European embassies.

Mr. MANN. I can not quite understand why the difficulty should exist which the gentleman from New York [Mr. SULZER] describes with reference to these places in China. We employ men to teach our officials the Chinese language, naming them as cadets of some sort, and take them over there and at our expense teach them Chinese. The gentleman says that, having done that, the position is much more onerous for them to occupy, because they do not understand Chinese well enough, or because it is difficult to get somebody who does understand Chinese well enough to carry on the correspondence between our representative and the Chinese Government. For what reason do we have these student interpreters in Turkey, China, and Japan, unless when they are through our employees know something about the language? What is the use of providing for these student interpreters unless when they have occupied the time and been paid the salary, which is considerably more than it would cost them to go to college in this country, they have learned the language? What is the use of it all if at the end of that time they do not understand the language well enough to carry on correspondence?

Mr. SULZER. In reply to the gentleman from Illinois I desire to say that the present incumbent of the Chinese post is a learned and very able man, well qualified for the work and very much devoted to it. He became such as a result of years of close study and close application at all times. The present American minister to China has recently stated to the Department that the Chinese secretary is the mainstay of the legation, without whom it would be impossible for the minister efficiently to discharge his duties, and there is no increase of his salary—merely a change of designation.

Mr. MANN. I am not criticizing that. I have no doubt that we have efficient secretaries in all of these places, and I presume very likely they ought to have their salaries increased, as far as that is concerned. I do not, however, see the difficulty of obtaining men to perform this work.

Mr. KENDALL. The department does.

Mr. SULZER. And so would the gentleman if he lived in China. The pay is quite inadequate, all things considered, but the committee would not increase it at this time.

The CHAIRMAN. If there be no objection the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Secretaries of legation to the Argentine Republic, Belgium, Chile, China, Cuba, the Netherlands and Luxembourg, and Spain, at \$2,625 each, \$18,375.

Mr. FERRIS. Mr. Chairman, the *Maine* has been raised and given burial in the billows of the deep.

Her long service as a human sepulcher is over, thank God.

Her interment in the sea closes the incident, so far as the physical hulk of our first battleship is concerned, but the sacredness and the sorrow connected with her sad mission of the past 14 years will not down.

The patriots of the *Maine* who gave their lives as a human sacrifice that American honor might be preserved and that Cuba might be free have been returned to their native land amidst our keenest devotion, affection, and the tears of every patriotic American. Our Stars and Stripes in solemn devotion have been at half-mast from ocean to ocean in this Republic emblematic of our love and devotion to the martyrs of the *Maine*. Our President, our Congress, our Supreme Court, many of the survivors of the tragedy, even many of the gray-haired mothers of the dead, were in attendance to cast a long sad glance at the flower and flag bedraped coffins which bore the last sad remains of the martyred sons.

The able chaplain, who survived the tragedy itself, raised his voice and asked that the blessings of a righteous God fall upon the living and the martyred dead. And as 20,000 citizens sat there in the rain with bared and bowed-down heads, half in grief from the tragedy of long ago and half in joy as a result of their belated return, I could not but pause in bewilderment and wonder who took the initiatory step and contributed most to bring it all about. I could not but pause and wonder who caused this most righteous service on this most hallowed day. [Applause.]

It was then that I recalled that the first word that I had ever heard spoken on the subject in Congress was by the present chairman of the Committee on Foreign Affairs, Mr. SULZER. I recalled when I first came here, during the winter of 1907 and 1908, by resolution and by speech he was seeking to get recognition to call up his bill authorizing the raising of the *Maine*, then pleading with Congress to return their martyred dead, pleading that full justice be done to their heroes who had fallen in their defense. Prompted partially by curiosity and partially by the remarkable occasion, I ascertained that the gentleman from New York, part of the time singly and alone, from 1902 down to the final passage of the authorization to raise the *Maine* was passed, had worked in season and out for this most righteous and belated cause.

As a result of this untiring labor for the past decade of years on the part of the gentleman from New York [Mr. SULZER], a generous and righteous Government last Saturday performed the last sad rites over these least ignoble sons.

To-day, under the spreading oaks of fair Arlington, sleep the remains of America's present-day martyrs and patriots, Cuba's saviors and defenders, and America's most beloved sons. While it is thrice true that honor conferred and respect paid by nations or men do not heal hearts that are broken, still it serves as an offset to grief that could not otherwise well be borne. The initial efforts of the gentleman from New York and the full honor conferred by the Nation will quicken patriotism in the living, serve as a solemn sentry of protection to the living, and undying honor to the dead.

Historians will write more eloquently of him when he is gone, but I shall not let it pass to speak of his efforts thus modestly while he is here. To-day each mother who has a son sleeping there must, in addition to her affections for her country and her flag, love and revere the man who first moved this Government to do this most righteous act. Let it be the wish of all such mothers of this Nation as well that "Long may he be spared in health, vigor, and strength who has served us so well, and may the future be to him all that our keenest expectations hope it will be." [Applause.]

Mr. MANN. I would not detract at all from the eulogy which the gentleman from Oklahoma [Mr. FERRIS] has paid to a Democratic ex-candidate for governor of New York; but in order that the record may be kept straight I think it is proper to say at this time that it was not the resolution of the gentleman from New York which became a law at all; that he had nothing whatever to do with the introduction of it or the reporting of it, but that the matter that was reported came from the Committee on Naval Affairs and was reported by the gentleman from Michigan [Mr. LOUD] [applause on the Republican side], and that when it came to the House and was finally adopted in the form that it was I drew it myself. [Laughter and applause.]

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I understood the chairman of the Committee on Foreign Affairs to say, in response to a question I asked him a few minutes ago, that the secretary of legation in China was an American. I wonder if I understood him correctly.

Mr. SULZER. The gentleman did.

Mr. MADDEN. If that be the case, I am curious to know why it is that it is found necessary to provide for another secretary to that same country at \$2,625 a year.

Mr. SULZER. We have not reached that provision in the bill.

Mr. MADDEN. We have just had the item read.

Mr. KENDALL. Line 16.

Mr. MADDEN. It seems to me that, while the post of secretary to China may be very important, it is not necessary to pay a man \$3,600 a year while we pay a man doing like work in England \$3,000 a year, and then provide for another man at \$2,625 to do the same work.

Mr. SULZER. There may be something in the gentleman's criticism.

Mr. LONGWORTH. Mr. Chairman, I would like to ask the gentleman from New York if that is not an entirely different position. In the regular diplomatic service a man does not have to have a knowledge of the Chinese language.

Mr. GARNER. The hearings before the committee indicated that it was necessary to have more clerical force in China and Japan than in any other portions of the world.

Mr. MADDEN. I would like to ask the gentleman from New York to explain why it is that this other secretaryship is necessary in China. In the first case, if the secretary provided for in line 13 be an American it seems to me that there is no need for the secretary provided for in line 16. If, on the other hand, the secretary provided for in line 13 be a Chinaman, then it may be necessary to have an American, as provided for in line 16. If the secretary designated here as Chinese secretary gets \$3,600 a year and only does the work required to be done in the Chinese language it may be necessary to have the man provided for in line 16 to do the work in the English language. I would like to get all the information on this subject that is obtainable.

Mr. SULZER. Our Government deems the post in China as very important.

Mr. MADDEN. There is no doubt about that.

Mr. SULZER. The Secretary is unable to perform all the duties, and it is necessary to provide for an assistant secretary. That has been the law for a number of years past; there is no change in the existing law.

Mr. GARNER. If the gentleman from Illinois will permit, I want to state that this has been carried heretofore in the diplomatic bill, and that there is a greater amount of money spent on the legation in China than in any other country in the world by the United States. The reasons furnished the committee by the Secretary for that expenditure were various, the principal one being that the conditions that exist, the necessity for interpreters, and for different secretaries to look after different phases of diplomatic work make it necessary to have, I think, possibly more secretaries in China than in any other country in the world.

Mr. LONGWORTH. Is it not a fact that we have for a great many years had in China three different secretaries, a Chinese secretary and a first secretary of legation and a second secretary of legation, and that this bill makes no change?

Mr. MADDEN. Then the gentleman from New York made a mistake when he said that the secretary was an American.

Mr. SULZER. Oh, no; the secretary is an American.

Mr. LONGWORTH. One of these secretaries has spent many years in China learning the language.

Mr. MANN. Yes; and it is said that he knows everything in China worth knowing and much that is not. [Laughter.]

The Clerk read as follows:

Secretary of legation to the Dominican Republic and consul general at Santo Domingo, \$2,000.

Mr. MANN. Mr. Chairman, I notice that they have combined the secretary of legation in Santo Domingo with the consul general. What is the situation down there now with reference to our treaty with that country concerning collection of duties, and so forth?

Mr. SULZER. This is merely a change in title. There is no other change—no increase in salary.

Mr. MANN. Yes; but what is the situation, if the gentleman has it? We have some peculiar relations with this Republic, and I should like to know if the gentleman can inform the House just what the situation is at present.

Mr. SULZER. The relations of the United States with Santo Domingo are cordial and friendly. The little Republic is prospering.

Mr. MANN. I know that, but what is the situation with reference to the collection of revenue?

Mr. BARTHOLDT. Perhaps I can explain from the statement made by Mr. Carr in the hearings. He is the Director of the Consular Bureau of the State Department. He said:

Since the grade of the minister to the Dominican Republic was changed the law has provided for no consul general at Santo Domingo,

and one is needed to certify invoices and discharge other duties connected with our commerce. The change involves no additional cost to the Government.

Mr. BURLESON. But that does not answer the question asked by the gentleman from Illinois, who wanted to know the exact relationship that exists between our Government and the Government of Santo Domingo with reference to the collection of revenues, and the extent that it has been modified within the last year or two.

Mr. BARTHOLDT. That is a question that does not pertain to the bill which we are discussing now, and I think the chairman will be able to answer it better than I.

Mr. HAMLIN. Mr. Chairman, I may be able to throw a little light upon that subject and answer, in a way, the question of the gentleman from Illinois. Some years ago the Santo Domingo Republic had issued some \$20,000,000 of bonds, which were held largely in Europe. Interest had not been paid promptly on these bonds, and the holders thereof were doubtful that the principal, much less the interest, would be paid.

It would appear that the European Governments are not quite as responsive to the wishes of the bankers of those countries as the State Department of our Government is to the financial interests in this country. Hence it seems that an appeal was made by the European bondholders to our banking interests in New York, and as a result an appeal was made to our State Department, with the result that through the President, in 1905, one Jacob Hollander, of Baltimore, was appointed as special fiscal agent to go down to Santo Domingo and see what he could do in the way of arranging the payment of these bonds held in Europe. Our State Department stuffed his pockets full of commissions as envoy extraordinary and minister plenipotentiary, and perhaps some other things, put him on a gunboat, and sent him down to this little Republic like a mighty warrior going out to conquer, but, in fact, he was only going down there to collect some money for Wall Street and their European allies.

When he got down there, in addition to this foreign indebtedness, he found a large amount of domestic indebtedness, and finally, by scaling down that local indebtedness to about five cents on the dollar and the foreign indebtedness somewhat, he could get that Republic to issue new bonds to take up the old ones, which was satisfactory to Wall Street and their friends, provided the Dominican Government would let Wall Street name the depository of the funds, let our Government collect all their revenues, and virtually guarantee the payment of these new bonds.

That arrangement was made between this Government and the Dominican Republic. The new bonds were issued and turned over to Wall Street or its European allies at about ninety-eight cents on the dollar. The agreement was simply this: That the United States Government should take charge of the customhouses of the Dominican Republic, should collect all the customs dues, and should deposit the money with the Morton Trust Co. in New York, and all bills of every kind and nature, including the interest on the bonds and a certain amount placed to the amortizing fund, should be paid out by the Morton Trust Co. up here in New York. If the revenues each year exceeded a certain sum, then the Dominican Government should be allowed the surplus for internal improvements under the supervision and direction of certain agencies in this country. For this service to these bondholders Hollander was paid \$42,000 out of the United States Treasury. I never have been able to understand why this Government should bear the expense of making an arrangement whereby certain private institutions and money lenders should be enabled to collect an indebtedness from another Republic; but that is what was done, and these are our relations, in brief, with the Dominican Republic to-day under a treaty entered into in 1906.

Mr. MANN. Mr. Chairman, of course I know perfectly well what the treaty was, but I ask what the present situation is in reference to the collection of the revenues. My recollection from reading some of the reports which have been made is that the collection of revenues down there through the agents that we have has been eminently successful, and has brought not only more than ordinary prosperity to the Republic, but has provided more than the ordinary revenue, in addition to paying the interest and whatever else there is to pay on the indebtedness.

Mr. HAMLIN. Mr. Chairman, I think that the revenues as reported have been sufficient to meet the payments provided for in the treaty with a surplus to that Republic; but, of course, I know of some complaints by people living in that Republic growing out of certain requirements we have made upon them. How just those criticisms are I do not pretend to say; I do not know. I think that the collection of revenues has been preeminently satisfactory in amounts, but I object most seriously to the idea of taking the money out of the Treasury to aid

private individuals or private concerns in the collection of their indebtedness. I believe if we are going to help Wall Street to collect its debts Wall Street ought to pay the expense of it and not the people of the United States.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. HAMLIN. Certainly.

Mr. MANN. Of course, all this arises out of the Monroe doctrine?

Mr. HAMLIN. No; I think not.

Mr. MANN. Oh, yes.

Mr. HAMLIN. I do not agree with the gentleman.

Mr. MANN. Here are debts due not merely to citizens of the United States, but to citizens of foreign countries, who insist that they shall have the right themselves to enforce the payment of those debts, to put into motion machinery which will require the Republic to pay its debts, or, if the Government of the United States proposes to say to them "Hands off on the American Continent," then it is our duty to in some way see that these Republics pay their indebtedness.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAMLIN. Mr. Chairman, I do not believe that the conditions suggested by the gentleman existed there at that time or that such conditions now exist which would require us to interfere, nor that we can justify our interference on the ground of the Monroe doctrine.

Mr. MANN. My information is that that is exactly what did exist at the time.

Mr. KENDALL. Mr. Chairman, is not this the situation that existed there? There was certain indebtedness owing by the Dominican Republic, some of it in the United States and some of it in Europe. It was a confessed indebtedness, which that Republic was unable to liquidate. The people abroad who were creditors were inclined to enforce the collection of the debt. A situation arose under which we were either compelled to intervene to aid in the collection of the indebtedness or to abandon the Monroe doctrine entirely; otherwise, the governments abroad would have gone down there and enforced the collection of debts as governments usually do.

Mr. SLAYDEN. Mr. Chairman, will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. SLAYDEN. Would the enforcement of the collection of debts down there necessarily involve an abandonment of the Monroe doctrine, I will ask the gentleman from Iowa?

Mr. KENDALL. We have a principle which was enunciated a good many years ago, which goes by the name of the Monroe doctrine, under which we decline to allow any foreign power to occupy territory on this hemisphere.

Mr. SLAYDEN. Ah, to annex any territory, but not to collect debts or to chastise people for nonpayment of debts.

Mr. KENDALL. I think the Monroe doctrine has a broader interpretation attributed to it than that suggested by the gentleman from Texas.

Mr. SLAYDEN. It is a mighty good thing to read the Monroe doctrine and see just what it does say.

Mr. KENDALL. Of course I do not claim to have read it as intelligently as the gentleman from Texas, but I have deliberated upon it. I think it justly implies that our Government will not allow any other government, under any pretext, to assume control of territory upon the Western Hemisphere.

Mr. HAMLIN. Mr. Chairman, the gentleman from Texas [Mr. SLAYDEN] has said better than I could have said just what I started to say when he asked the privilege of interrupting me. The Monroe doctrine, as I understand it, is not encroached upon or interfered with if any other nation should take steps to collect an indebtedness that some American republic might owe them.

The Monroe doctrine briefly stated is this: It is the policy of the United States to regard any attempt on the part of the European powers to gain a foothold in this hemisphere by conquest or to acquire any new establishment in North or South America as an act hostile to the United States. Yet it does not contravene the right of any nation to enforce indemnity for injuries to its subjects, physical or financial, but applies only to territorial aggression by foreign powers.

The doctrine is based upon two passages in President Monroe's message. The first passage referred to the boundary dispute in the Northwest, between Russia, Great Britain, and the United States, and the other particularly referred to the broad principles underlying that doctrine as follows:

The occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved,

that the American continents, by the free and independent conditions which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European powers.

The Monroe doctrine is simply a declaration upon our part that we will not permit any European power to establish any kind of a government in any manner hostile to us upon the Western Hemisphere, but it in no way pledges us to a protectorate over other American States, or to preclude any European power from employing force in the settlement of their just demands against any nation upon this continent.

In 1842 Great Britain blockaded San Juan de Nicaragua, and in 1851 laid an embargo on the entire western coast of Salvador, and in 1903 the combined German and English fleets maintained a blockade of the Venezuelan coast to secure the collection of their claims for indemnity. The requirements of the Monroe doctrine as a national policy were fully met with the assurance to the United States of good faith on the part of the powers concerned and that no Venezuelan territory would be taken in settlement of the indemnity.

Mr. Chairman, if this is a fair outline of the Monroe doctrine, and I believe it is, our conduct in going down to Santo Domingo and taking charge of their customhouses, collecting their revenue, depositing it in the banks of our own country, and auditing their accounts, in fact, administering upon their affairs, can not be justified on the ground that the Monroe doctrine committed us to this policy. We may as well confess the truth and admit that we did it simply because the holders of those Dominican bonds—Wall Street and their European allies—wanted us to do it and, of course, to do it at the expense of the people of the United States, which we did at an expense of over \$40,000. This conduct does not meet my ideas of a proper administration of the affairs of this Government, and I do not believe, when they understand it, it will meet with the approval of the people of this country.

The evidence before our committee showed that there was a great deal of internal indebtedness owing from one citizen to another. It is true that default had been made in the payment of interest upon these old bonds, and the bondholders were exceedingly anxious about it, and they simply appealed to our Government to go down there and take charge of the customhouses of that Republic and administer its affairs. In other words, collect the debts of these banks at the expense of the Government by making an arrangement with the Dominican Republic whereby new bonds were issued and we virtually guaranteed the payment of every one of them.

Mr. MANN. Will the gentleman yield for a question?

Mr. HAMLIN. I will.

Mr. MANN. I want to ask the gentleman what he would do under conditions like these. Suppose these debts are owned by one of the European powers, or the citizens of one of the European powers, and their Government wished to protect their rights and insisted upon the payment of the debt. Does the gentleman think we ought to permit that power to take possession of the customhouses and collect the revenues at the customhouses of that country until the debts are paid, which may be never? That is the position, I understand, laid down by the gentleman from Texas and the gentleman from Missouri, and I doubt whether they want to go that far. If we say that one of the other powers can collect debts due its citizens, how can you collect them? There is no court to enforce it; there is only one way to enforce it, and that is to take possession of the customhouses and ports. Are the gentlemen prepared to say that we could afford to submit to that procedure?

Mr. HAMLIN. Certainly. The powers have that right, and they ought to have that right to collect their just debts, but not to acquire territory in a hostile manner, for they then would violate the Monroe doctrine.

Now, I will ask the gentleman a question: Does the gentleman think that this Government ought to take charge of all the affairs of the South American Republics, all of those that happen to become indebted, and guarantee the payment of their debts to some foreign citizens or governments?

Mr. MANN. Well, Mr. Chairman, I am not prepared to say what I think the Government ought to do in all cases which may arise, or one which one can imagine might arise, under the Monroe doctrine, and no one else is prepared to say—I think no one would be prepared to formulate a definite policy upon that line—but I am prepared to say I think it would be very unfortunate if this country should permit a foreign power to take possession, under the plea of collecting indebtedness, of a port or a country in one of the other American Republics and hold it until the debt was paid, because that would mean permanent occupation. I see no escape from the proposition that we can not permit the other powers to do it, and that in not permitting them to do it we do have certain responsibilities ourselves. How far we ought to go I do not know. I am in hopes of keeping out of it just as much as possible.

Mr. HAMLIN. Of course, if a foreign nation should seize the customhouses of a nation on this hemisphere under the pre-

tense of collecting a debt and then refuse to release them, that would present another question, but such a thing is not at all likely to ever occur. Since our intervention down at Santo Domingo was primarily for the benefit of those bondholders, does the gentleman think the expense ought to be paid out of the Treasury of the United States?

Mr. MANN. Well, I do not know whether it ought to be or not, but I would far rather expend a little money out of the Treasury in a matter of intervention of that sort than to expend it on the Army and Navy in time of war; it is not only much cheaper, but much more comfortable.

Mr. HAMLIN. There was no occasion for war. The other countries were simply demanding that the Dominican Republic pay their citizens what was due them. This they had a right to demand, if the claims were just, and could not have been the basis for war between enlightened and civilized nations.

Mr. MANN. There might have been war if we had not done it, not with Santo Domingo, but with other powers.

Mr. HAMLIN. That is too remote. It is too much like wondering what would have become of Columbus if the world had proven to have been flat.

Mr. KENDALL. Mr. Chairman, I move to strike out the last two words. On the subject introduced by the gentleman from Missouri [Mr. HAMLIN] and the gentleman from Texas [Mr. SLAYDEN] I want to read a statement submitted by the Secretary of State on the situation in the San Dominican Republic at the time to which reference has been made:

In 1904 the Dominican Republic presented a situation which threatened to lead to the gravest consequences, so far as the United States was concerned. For years the country had been torn by internal dissension and revolutions, until the instability of the so-called Government had become a byword and the credit of the nation had been reduced to such a condition that usurious rates of interest were demanded and obtained by those who were willing to furnish the tottering Republic with funds. It was also customary for the lenders of money to demand as security for the payment of interest and principal the hypothecation of the revenues of the various seaports of the country, until at length the Dominican people found themselves in a position where practically the revenues of every port in the Republic were pledged for the payment of debts. There were no funds left wherewith to maintain the Government, the total revenues from imports and exports had for years been insufficient to meet even the interest on the outstanding indebtedness, and the people of the island had been brought face to face with national bankruptcy.

In this posture of affairs the creditors of the nation, who were for the greater part Europeans, had become clamorous for the payment of arrears of interest and for the enforcement of the pledges of the revenues of the various ports of the country, which pledges it had been found necessary to violate if funds were to be had for the General Government. Protocols of the settlement of the various debts had been signed with Germany, Spain, and Italy two years previously, with the terms of which it had been impossible for the Dominican Republic to comply, and the creditors had decided to invoke the aid of their Governments in the collection of what they claimed to be their due. An Italian warship was actually dispatched to Dominican waters for the enforcement of the agreements with Italian subjects. The Monroe doctrine, indeed, seemed menaced and the Dominican Government appealed to the Government of the United States for assistance in its extremity.

And the United States Government answered that appeal by adopting the course suggested by the gentleman from Illinois [Mr. MANN]. And I undertake to say, in view of the situation that existed there at that time, that if the Federal Government at Washington had declined to intervene its action would have been a virtual abandonment of the Monroe doctrine. [Applause.]

Mr. SLAYDEN. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, that which we are calling the Monroe doctrine may be a sort of progressive game of international politics, but I do not believe it. In the minds of some gentlemen it does seem to be, but there is needless confusion as to the precise meaning of that celebrated doctrine.

Mr. Monroe, in December, 1823, sent his message to Congress, and in it is found these words:

The occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent station which they have assumed and maintain, are henceforth not to be considered as subjects for future colonizing by any European power.

Of course, the President meant political colonies.

And then he goes on to state that any interference on the part of the Governments of Europe, or any combination of them in the interests of Spain or in the interest of the Holy Alliance, would only be regarded as an act of unfriendliness on their part toward the United States.

Mr. Daniel Webster, of Massachusetts, in 1826, in interpreting that part of Mr. Monroe's message, said:

The amount of it was that this Government could not look with indifference on any combination among other powers to assist Spain in her war against the South American States; and we could not but consider any such combination as dangerous or unfriendly to us.

And in another speech on the same subject he said:

It did not commit us to take up arms on any indication of hostile feeling by the powers of Europe toward South America.

Now, other gentlemen of eminence, perhaps not so great or so learned as Mr. Webster, but men who occupied exalted stations and who are renowned in the history of this country, followed his view. And later, when Mr. Richard Olney, another great citizen of Massachusetts, was Secretary of State, he gave this interpretation of it. He sent it to Minister Bayard during the consideration of the Venezuelan boundary question. He said:

It does not establish a general protectorate by the United States over other American States. It does not relieve any American State from its obligations as fixed by international law nor prevent any European power directly interested from enforcing such obligations or from inflicting merited punishment for the breach of them.

And it does not assume, permit me to say, that it becomes our duty to chastise defaulting creditors in the interests of any government on earth.

It does not contemplate—

Says Mr. Olney—

any interference in the internal affairs of any American State.

I will say in passing that that is a statement by a great statesman and an honored officer of this Government which ought to sink into the minds of all people, particularly at this time, when they would involve us, if they could do so, in complications that would be expensive and injurious to us politically. Mr. Olney goes on to state:

The rule in question (the Monroe doctrine) has but a single purpose and object. It is that no European power or combination of European powers shall forcibly deprive an American State of the right and power of self-government and for shaping for itself its own political fortunes.

In 1902 and 1903 Italy and England and Germany blockaded a Venezuelan port. It was done for the purpose of compelling the settlement of debts due to the subjects of those kingdoms. It is known in history as the "pacific blockade." It was not so pacific perhaps as the word would indicate, when they were there with great warships threatening to bombard the Venezuelan people unless they made arrangements for the payment of these debts.

The CHAIRMAN. The time of the gentleman from Texas has expired. The Clerk will read.

The Clerk read as follows:

To pay the salaries of ambassadors, ministers, consuls, and other officers of the United States for the periods actually and necessarily occupied in receiving instructions and in making transits to and from their posts, and while awaiting recognition and authority to act, in pursuance of the provisions of section 1740 of the Revised Statutes.

Mr. HAMLIN. Mr. Chairman, I desire to offer an amendment.

Mr. MANN. May I ask the gentleman from Missouri [Mr. HAMLIN], before he offers his amendment, if a substantive amendment would not permit this paragraph to be perfected? Is the gentleman's amendment an amendment to this paragraph?

Mr. HAMLIN. To this paragraph. It is only to make it conform to the wording usually carried in the bill. It does not change it any.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "Statutes," in line 20, add:

Or so much thereof as shall be necessary.

Mr. MANN. Not "or so much"?

Mr. HAMLIN. The word "or" ought not to be there.

Mr. MANN. If the amendment was not inserted, you might as well strike out the paragraph from the bill. It does not mean anything without the amendment.

Mr. SULZER. I have no objection to the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Assistant Turkish secretary to the embassy to Turkey, to be appointed from the corps of student interpreters, \$2,000.

Mr. HAMLIN. Mr. Chairman, I make a point of order against the paragraph. It is new legislation.

The CHAIRMAN. What is the ground of the point of order?

Mr. HAMLIN. It has not been provided for heretofore by law.

The CHAIRMAN. Does the gentleman from New York [Mr. SULZER] wish to be heard on the point of order?

Mr. SULZER. Mr. Chairman, I trust the gentleman from Missouri will withdraw that point of order. We have already discussed at length the importance of these embassies in Peking, China; Tokyo, Japan; and Constantinople, Turkey.

The CHAIRMAN. Is it the contention of the gentleman from New York that it is not subject to a point of order?

Mr. SULZER. Only the Turkish matter is subject to a point of order, but I trust the gentleman will withdraw the point of order. It is a very important matter to this Government. It is in the interest of the public service.

Mr. LONGWORTH. Will the gentleman from New York [Mr. SULZER] yield?

Mr. SULZER. Certainly.

Mr. LONGWORTH. This is an increase of only \$400?

Mr. SULZER. That is all.

Mr. HAMLIN. How do you make that?

Mr. SULZER. Provision for some years past has been made by Congress for an assistant Chinese secretary of legation to China and an assistant Japanese secretary of embassy to Japan, each appointed from the corps of student interpreters and each having a salary of \$2,000. The need of an assistant Turkish secretary of embassy to the embassy at Constantinople is no less great and pressing. It is pointed out by the embassy that—

while the post of dragoman (interpreter), considering the title in its literal sense, may be said to have become less important as regards the carrying on of verbal intercourse with the Ottoman Government than in years past, and may, in fact, in the course of time become practically obsolete, yet the amount of work which requires constant attention and pushing at the various Ottoman ministries in conjunction with and following on the representation made by the chief of the mission has generally increased. This work, requiring as it does great patience, tact, and an intimate personal acquaintance with the principal officials and the affairs of the various governmental departments, must be carried out by the permanent dragomans, who should systematically follow up the different pending matters for the purpose of insuring their passage through the channels of Turkish officialdom. For one man to fill the multifarious duties of the embassy in the above respect is without the bounds of human possibility, and I desire to urge most strongly the present desirability of increasing the dragomanate staff by at least two assistant dragomans.

Mr. HAMLIN. There will be another student interpreter to take his place. You provide in the bill for a large number of student interpreters.

Mr. LONGWORTH. He is to be appointed from the student interpreters. It would not necessarily mean a new position.

The CHAIRMAN. The Chair is ready to rule.

Mr. KENDALL. What we are trying to do, Mr. Chairman, is to prevail upon the gentleman from Missouri [Mr. HAMLIN] to withdraw his point of order.

Mr. HAMLIN. I will withhold it for a minute.

Mr. LONGWORTH. It may be a detailed person. The student interpreters receive a salary of \$400 only.

Mr. HAMLIN. The bill carries a full complement of student interpreters, does it not? Now, here you take one from that list to fill this position, and you will have to appoint another to take his place. And you are mistaken when you say it is an increase of only \$400.

Mr. LONGWORTH. I think not, because this provision particularly says that he shall be appointed from the corps of student interpreters. He is to be appointed from the corps of student interpreters.

Mr. HAMLIN. I understand that he is to come from the corps of student interpreters, but the bill carries the usual amount for the student interpreters, the usual appropriation.

Mr. LONGWORTH. Yes; because they are now in existence. But this position will be provided for when one of these student interpreters is made an assistant secretary at a salary of \$2,000.

Mr. HAMLIN. Yes; and some other student interpreter will take his place.

Mr. SULZER. We provide for student interpreters to whom we pay so much every year. We can not have more student interpreters than are now provided. There will be no more student interpreters.

Mr. HAMLIN. But you provide the same amount in this bill for student interpreters.

Mr. KENDALL. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Iowa?

Mr. HAMLIN. Yes.

Mr. KENDALL. Here is a suggestion from the Secretary of State, made when he was before the Committee on Foreign Affairs, with reference to the very subject that is now under discussion in the Committee of the Whole. The Secretary said that "the demands on the Turkish secretary at Constantinople are so great that he ought to have an assistant," and he said that "the assistant should be taken from the student interpreters, who are trained to work of this character. We utilize these student interpreters wherever we can," indicating that the creation of an assistant secretary, after he shall have been appointed from that corps, will not necessitate the employment of another student interpreter.

However, Mr. Chairman, I think it highly probable that as time elapses and our business at that port expands and increases and multiplies, as it is constantly doing, there will be need for more of these student interpreters. I do not think our Government has made any advance in the Far East comparable with that made at Constantinople within the last few years. Hereafter there will be a necessity for an increased force of interpreters and secretaries and others to transact the business devolving upon that embassy.

Mr. FOSTER. Would the gentleman be willing to withdraw his point of order if the number of student interpreters were cut down?

Mr. HAMLIN. No. I am inclined to think we ought to appropriate in accordance with the amount of work over there, but I do not think we are justified in giving them a secretary at an increase of \$600 and then giving them an assistant secretary at a salary of \$2,000.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Illinois?

Mr. HAMLIN. Yes.

Mr. MANN. Mr. Chairman, we have at present a secretary to the legation at Constantinople, Turkey; next we have a second secretary at Constantinople; next we have a third secretary there; next we have a Turkish secretary of embassy; next we have an assistant Turkish secretary to the embassy. The other is "Turkish secretary of the embassy." I do not know whether or not there is any distinction between that and the other.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAMLIN. Mr. Chairman, I insist on the point of order.

Mr. MANN. Mr. Chairman, I ask unanimous consent to have five minutes more.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MANN. Next we have 10 student interpreters at the embassy. Here are 3 secretaries at the embassy, 2 Turkish secretaries to the embassy, and 10 student interpreters. I really can see no occasion for it. Our trade is not growing with Turkey to any great extent. We do not have the complications with Turkey that the European powers have. What little we do have may be or may not be very well taken care of. But the only purpose of this is to promote, I suppose, some bright student interpreter to a permanent position. But—

Mr. SLAYDEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Texas?

Mr. MANN. But he will no longer be a student interpreter when he is promoted to this position of assistant secretary. Another student interpreter takes his place, very properly. So that it is not a matter of expense with me. I do not care to throw away \$2,000, but I do not think that would stand in the way of anyone here to have proper representation there. But they apparently seem to have a very large representation there already. Now I yield to the gentleman from Texas.

Mr. SLAYDEN. Mr. Chairman, I would like to ask a question of the gentleman for information about this matter. Am I correct in supposing that the student interpreter is put at these missions, like that at Constantinople and those in Japan and China and elsewhere, because that appears to be the only practical way of recruiting our consular service with men who understand the languages of those countries, and is it or is it not limited to what may be the reasonable requirements of the service? There are two questions there. I would be glad if the gentleman from Illinois will kindly inform me as to what his opinion is.

Mr. MANN. My opinion has not always agreed with that of the State Department in reference to that, I will say to the gentleman. I think we have carried too many student interpreters at the different places. But they have always urged that we should take some young Americans there and teach them the language. If the only ones who learn those languages in those countries are the student interpreters, we would be very badly off, no doubt.

Mr. SLAYDEN. Do they, as a matter of fact, learn those languages?

Mr. MANN. I suppose they do. They have nothing else to do, and my information is that they do and they do very well. They agree to stay in the service for five years. Probably at the end of that time most of them go out and obtain private employment, to which I have no objection.

Mr. BARTHOLDT. I merely want to call the attention of my colleague from Missouri [Mr. HAMLIN] to the fact that it seems that the whole amount of increase involved in this discussion is \$200. These interpreters are originally employed at \$1,000. Then their salary is increased to \$1,200, \$1,500, \$1,600, and finally \$1,800. Now, this assistant secretary is to be appointed from the corps of interpreters, and I suppose if they promote a man from that corps to the position of assistant secretary they take the one who has served the longest and who probably now receives \$1,800. Here it is proposed to raise his salary to \$2,000 and call him an assistant secretary.

Mr. SULZER. He is doing the work now.

Mr. MANN. Will the gentleman from Missouri or some one else tell us from what appropriation these gentlemen are paid at the rate of \$1,600 and \$1,800 a year?

Mr. HAMLIN. Mr. Chairman, just a word, and then I do not care to say anything more about it. Either the gentleman from New York [Mr. SULZER], the very efficient chairman of the committee, or my colleague from Missouri [Mr. BARTHOLDT] is mistaken. The gentleman from New York says that if this point of order is sustained it will very seriously cripple the service. The gentleman from Missouri [Mr. BARTHOLDT], my colleague, says that it will only make a change of \$200 in salary; that they have got this clerk now; but that he ought to have \$2,000 instead of \$1,800. One or the other of these gentlemen is mistaken. This question seems to be mixed with some little doubt about the true facts. My interpretation of this bill is this: The bill provides for 10 student interpreters at the embassy in Turkey.

If they take one of them and make him an assistant secretary, somebody else will take his place as a student interpreter, and the expense of this student, whatever it is—\$1,500 or \$1,800—will be incurred on account of the other fellow being made an assistant secretary. So, after all is said and done, when you brush all the smoke away you find that it will mean an increase of \$2,000 per year. I have not heard any good reason for this increase. The gentleman from New York [Mr. SULZER] has said it will cripple the service if this increase is not made. My colleague from Missouri [Mr. BARTHOLDT] says they have got the fellow now, and that it only increases his salary \$200. Therefore, in order to settle an unsettled question, I insist on my point of order.

The CHAIRMAN. The point of order is sustained.

Mr. SULZER. That is only in regard to the assistant Turkish secretary.

The CHAIRMAN. The paragraph beginning with line 8, page 6.

Mr. SULZER. Lines 8, 9, and 10.

The CHAIRMAN. That is the paragraph referred to. The point of order is sustained.

The Clerk read as follows:

CONTINGENT EXPENSES. FOREIGN MISSIONS.

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, messenger service, compensation of Kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation of dispatch agents at London, New York, San Francisco, and New Orleans, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, \$300,000.

Mr. SHERLEY. Mr. Chairman, I reserve a point of order on the paragraph just read. I will ask the gentleman why the words "New Orleans" have been inserted in line 10, page 9? Just what are the duties of these dispatch agents?

Mr. SULZER. Mr. Chairman, in reply to the inquiry of the gentleman from Kentucky, I send to the Clerk's desk and ask to have read a letter from the Secretary of State, which, I believe, will explain the matter.

The Clerk read as follows:

DEPARTMENT OF STATE,
Washington, April 11, 1911.

The honorable the Secretary of the Treasury.

Sir: This department having found it necessary, in order to more satisfactorily provide for the shipment of supplies, etc., to consular and diplomatic officers in Central and South America, to establish a dispatch agency at New Orleans and to appoint a dispatch agent there, I have the honor to request that you will submit to the present session of Congress the following change in the wording of the appropriation for the contingent expenses of foreign missions for the current and for ensuing fiscal years, without increasing the amount of the appropriation, namely:

"To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, postage, telegrams, furniture, messenger service, compensation of Kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation of dispatch agents at London, New York, San Francisco, and New Orleans, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, \$375,000."

I have the honor to be, sir,
Your obedient servant,

P. C. KNOX.

Mr. SHERLEY. I should like to know just what these dispatch agents do, and what actual increase of cost, if any, will be incurred by virtue of establishing a dispatch agent at New Orleans.

Mr. SULZER. The Secretary of State says it will require no additional expense.

Mr. SHERLEY. No; he said he did not ask for any additional appropriation. He did not say it would not incur any additional expense.

Mr. SULZER. I will say to the gentleman that the adoption of the speedier and more convenient route of transmission of the official diplomatic pouches between the Department of State and the legations in the Central American States via New Orleans, and the shipment by way of that port of official supplies for the legations and consulates in those countries and the countries of the western coast of South America, has made necessary the establishment of a dispatch agency at that city, and provision for the payment of the agent out of the appropriation for contingent expenses, foreign missions, is requested in the item for that general object without any increase in the appropriation.

Mr. SHERLEY. What does the gentleman mean by dispatch agents? I may be stupid, but I do not gather just what functions these agents perform.

Mr. SULZER. All the mail, all the material for the different consulates in Central and South America—that is, on the western coast of South America—now go by way of New Orleans. In that city the Department of State has a dispatch agent who takes care of the mail pouches and all this material for the consulates, sees to it that the same is properly put aboard the vessels in New Orleans and sent to the various destinations.

Mr. MANN. And he also sees to forwarding the ordinary supplies, typewriting machines, and so forth.

Mr. SULZER. Everything in connection with the consulates.

Mr. SHERLEY. The gentleman does not mean to say that the State Department has to have an agent for the purpose of sending these supplies to the different consulates? I understood the gentleman to say that the mail pouches are dispatched by this agent.

Mr. SULZER. Yes; all mail from the Department of State goes in the State Department mail pouches to the various consulates in Central and South America.

Mr. SHERLEY. Instead of going by the regular method through the mail?

Mr. SULZER. Yes.

Mr. HAMILIN. If the gentleman will permit me, I will say that I have looked into this matter. I had the same impression that I think the gentleman from Kentucky has.

Mr. SHERLEY. I have not any.

Mr. HAMILIN. That these dispatch agents are useless agents. The testimony shows that the duty of a dispatch agent, whether he is in New York or New Orleans or San Francisco, is that when the State Department makes up the pouches of mail to be sent to Europe they go to New York, and the duty of the dispatch agent is to get the pouches, see that they are in good shape, properly labeled, and hurry them, perhaps ahead of the ordinary mail, to the proper ship which will take them on the way instead of letting them go by the ordinary usual route.

Mr. SULZER. That is correct.

Mr. SHERLEY. In other words, the Department of State thinks it is necessary to send the mail in this way, because the post-office service is inferior?

Mr. MANN. Not at all; the State Department sends its mail in sealed pouches.

Mr. SHERLEY. The statement made by the gentleman was that the dispatch agent had to see that the mail pouch arrived in good condition and was sent off as speedily as possible, and they had this special agent to look out for it instead of leaving it to the postal authorities.

Mr. MANN. The gentleman knows that these pouches ordinarily could not go through the Post Office Department the way it is put up in sealed pouches, because there is no authority for the Post Office Department to handle them in sealed pouches. It does not come under the provisions of the International Postal Union.

Mr. SHERLEY. I have not the slightest doubt that with the exception of a few communications of a private character all of these communications could be sent as ordinary mail matter, but the State Department still clings to the mysteries that have been shrouding foreign transactions for 100 years and probably will 100 years from now.

The CHAIRMAN. Does the gentleman from Kentucky make the point of order?

Mr. SULZER. I trust the gentleman will not.

Mr. SHERLEY. I will not press the point of order, although I have not obtained the information that I asked for.

Mr. MANN. I want to make this suggestion. I looked this up recently and they are using steamers going out of New Orleans for portions of the Central American Republics and possibly for the South American Republics.

Mr. SULZER. New Orleans is a very important distributing place—and becoming more so.

Mr. SHERLEY. I am inclined to think that if agencies ought to be maintained in other places one ought to be at New Orleans. For that reason I will not press the point of order.

The Clerk read as follows:

EMERGENCIES ARISING IN THE DIPLOMATIC AND CONSULAR SERVICE.

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, and to extend the commercial and other interests of the United States, to be expended pursuant to the requirement of section 281 of the Revised Statutes, \$50,000: *Provided, however, That the vouchers for the money expended under this appropriation shall be itemized, and the same shall be subject, whenever required, to the inspection of the chairman of the Committee on Foreign Affairs of the House of Representatives and the chairman of the Committee on Foreign Relations of the United States Senate, or either of them.*

Mr. MANN. Mr. Chairman, I reserve a point of order on that paragraph.

Mr. LONGWORTH. I move to strike out the last word in order to ask the chairman of the committee a question. This is a reduction of the emergency fund from \$90,000?

Mr. SULZER. Yes; the committee reduced it from \$90,000 to \$50,000.

Mr. LONGWORTH. Is the gentleman from New York confident that this will not cripple the service?

Mr. SULZER. In the judgment of the committee the department can get along next year with \$50,000 for emergency purposes. So far I have heard no complaint regarding this reduction. It is quite a saving to the taxpayers of the country.

Mr. LONGWORTH. Can the gentleman say how long the appropriation was as high as \$90,000?

Mr. SULZER. Several years.

Mr. LONGWORTH. And this is the first time there has been such a substantial reduction?

Mr. SULZER. The first time in several years.

Mr. LONGWORTH. The gentleman from New York states on his responsibility as chairman of the committee that this will not, in his opinion, in any way hamper the best interests of the service?

Mr. SULZER. If I thought it would cripple the good work of the State Department I would be opposed to the reduction.

Mr. MADDEN. Will the gentleman yield?

Mr. SULZER. Certainly.

Mr. MADDEN. Does the gentleman know the average yearly expenditure under this appropriation?

Mr. SULZER. There has generally been expended all of the money that Congress allows.

Mr. MADDEN. Does the gentleman state that the expenditures have been extravagant, that the Secretary of State has spent more money than he ought to have spent?

Mr. SULZER. I do not.

Mr. MADDEN. If the gentleman makes that statement and believes that the expenditure has been properly made in the past, does he not think that the reduction from the former amount of the appropriation to the present is unjustifiable?

Mr. SULZER. Our distinguished Secretary of State is a wise man, and I doubt not will cut his cloth accordingly.

Mr. SHERLEY. I would like to ask the gentleman whether he does not think that this information should be subject to the inspection of the chairman of the Committee on Expenditures in the State Department? It seems to me peculiarly appropriate that the chairman of that committee, even more than the chairman of the Committee on Foreign Affairs, should have access to that information.

Mr. SULZER. I will say, in reply to the gentleman from Kentucky, that the Committee on Foreign Affairs gave much time and consideration to this limitation. We think we have gone quite far enough in regard to the matter. After much deliberation we came to the conclusion that this limitation was wise, and quite as far as the committee ought to go. The Committee on Foreign Affairs deals direct with the State Department, and, of course, more or less with the diplomatic relations of the Government. The Committee on Expenditures in the State Department does not. This emergency fund is a diplomatic matter. It should be confidential. It should not in our opinion go beyond the scope of the limitation which the committee has put in the bill.

Mr. SHERLEY. Mr. Chairman, I want to say to the gentleman that this is another instance, I think, of the exaggerated mysteries that are essential in the opinion of some people to the proper conduct of foreign affairs. They seem to forget that the time of sealed communications has gone by, and that we read in the newspapers each morning what is happening in every capital in the world. I shall make the point of order against the paragraph unless it carries in it a provision giving to the Committee on Expenditures in the State Department, whose express duty it is to examine into these things, the same privilege that is granted here to the Committee on Foreign Affairs.

Mr. HAMILIN. Mr. Chairman, I have spoken privately to the chairman of the Committee on Foreign Affairs about that fact, but my own modesty inclined me not to raise the point that the

gentleman from Kentucky [Mr. SHERLEY] has raised. I do feel that if this provision is to go in at all it ought to include the chairman of the Committee on Expenditures in the State Department in the House and also the chairman of the Committee on Expenditures in the State Department in the Senate.

Mr. SISSON. Why not the entire committee?

Mr. HAMLIN. I have a bill which will cover all of that, and consequently I am not particular about any of this provision; but if it comes in, it ought to include the chairmen of these two committees, because, under the rule of the House, our committees are charged with investigating these expenditures. I think, in the light of certain developments—and I am not going into a discussion of them at any great length, but just want to make this suggestion—the point is not well taken, that this is purely a diplomatic matter, and consequently no committee ought to have any inside information except the Committee on Foreign Affairs in the House and the Committee on Foreign Relations in the Senate. A practice has grown up in the State Department of expending hundreds and hundreds of dollars which have been specifically appropriated for specific purposes other than that included in the paragraph now under discussion and which have been covered under section 291 of the Revised Statutes, and I now hold in my hand a portion of the certified copies of those certificates. The committee will remember that we raised a question some time ago as to the expenditure of the \$20,000 which was appropriated for the celebration of the discovery of Lake Champlain. After a long hard fight we secured copies of the items for which that money was expended, and the Secretary of State very frankly admitted that it was improperly covered by secret certificate; that it ought not to have been so covered. How much more there is of that kind of work I do not know. We find in this bill an item, just passed, of \$5,000 for bringing home criminals.

In 1906 there was a similar paragraph carried in the bill of that year. That money was expended and was covered by secret certificates in the Treasury, a certified copy of which I hold in my hand. Yet the appropriation was worded then as it is worded now—for actual expenses for bringing home criminals—ought not to have had the veil of secrecy thrown around it. Every conceivable thing that may excite criticism is covered by secret certificates under section 291 by the State Department. I do maintain most seriously and earnestly that that is a practice which ought to be stopped in some way, and I know of no better way than to turn the light of publicity upon it.

Mr. KENDALL. Will not this correct that condition?

Mr. HAMLIN. I do not think it will entirely. It will help that much. As some gentlemen know, I have a bill reported and on the calendar which, if passed by the House and the Senate, will correct this evil. If the Secretary of State understands that the chairmen of the investigating committees in the House and Senate have the right to see the items that he says he is expending money for under this appropriation, it is almost a certainty that he will not expend a penny of it for anything excepting what properly comes under that provision; and it is an impeachment upon the loyalty and upon the manhood of Members of this House to say that they are so unpatriotic if they find an item for which money has been expended that ought not to be made public, that they will make it public. I do not believe the Secretary of State is afraid of anything of that kind. The Foreign Affairs Committee and the Foreign Relations Committee have no power of investigation. Why should they inspect these accounts. I have no objection to it, but it does seem to me that the committees that are specially charged with this work in the House and in the Senate, if this provision is to remain in the bill, ought to be included in it.

The CHAIRMAN. Did the gentleman from Kentucky reserve the point of order?

Mr. SHERLEY. Mr. Chairman, I would like to know what the disposition of the gentleman in charge of the bill is?

Mr. MANN. I reserved the point of order.

Mr. SHERLEY. Oh, yes. I was thinking whether I wanted to make the point of order.

Mr. MANN. I think we can get at that very quickly. The gentleman from Kentucky says that he will make a point of order unless they include other officials, and if they do, then I shall make the point of order.

Mr. SULZER. Mr. Chairman, just a few words. It is essential that the President should have at his command a fund for emergency purposes. Of course it is not possible accurately to estimate the amount that will be required to meet them in any one year, but it will be agreed by all, I take it, that the amount should be sufficient to meet an emergency that may arise at any time. In regard to the limitations, as I have said before, the Committee on Foreign Affairs gave the matter much consideration. We discussed it from every angle, and finally

came to the conclusion, as we state in the committee report, that this limitation will silence to a very large extent adverse criticism regarding the expenditure of this emergency fund and give to it all the publicity necessary. I trust the people. I trust the greatest servant of the people—the President. I believe that Congress can trust the President of the United States.

So far as I am personally concerned, therefore, I would put no limitation on the expenditure of this money. If we can not trust the President, then we can not trust anyone in public life, and the Republic is doomed.

Mr. SHERLEY. Mr. Chairman, I also am willing to trust the President of the United States, but this provision was put in here upon the theory that it ought to be within the power of some agency of Congress to look into the matter of expenditures, because while it is very pretty to talk theoretically of our trusting the President of the United States, practically we know that expenditures are made which never come to the knowledge of the President of the United States, and that he is a man with limitations like the rest of us, and could not to save his soul look after the details of expenditures.

And the desire of Congress to look into these matters is no reflection on any President, and could never be so considered by any President, and never will be because any man who will ever be President will have enough common sense to realize that an investigation of expenditures does not necessarily involve a reflection upon him. Now, the point I make is simply this. Inasmuch as the committee is attempting to give to somebody the right, it seems to me they ought to give it as much to the expenditures committee as to the appropriating committee. I think one of the dangers that we are under in Congress under our various methods of appropriating is that those committees appropriating for one department only become in course of time the particular advocates of that department, and they become advocates to such an extent that they resent as an impertinence any other committee considering any matter in connection with that department, and just for that reason if you are going to give the right to investigate at all, give it to a committee that will not feel itself already tied in favor of the department that is to be investigated. Unless the gentleman is willing to let the information go to the chairman of the Committee on Expenditures in the State Department as well as his own committee, I shall make the point of order.

The CHAIRMAN. Does the gentleman from Illinois insist on his point of order; I believe he made it first?

Mr. MANN. Well, I have not withdrawn the point of order yet.

The CHAIRMAN. Both gentlemen have made or reserved the point of order.

Mr. MANN. The gentleman from Kentucky has insisted that he will make the point of order unless some changes are made in it, and those changes have not yet been proposed. I think I would like to make this suggestion to the gentleman from Kentucky, if I may. The gentleman from Kentucky also reports one of these confidential bills to the House, and while he gives information concerning fortifications in a way, neither he nor the department would want to give all the information concerning all the fortifications or the emplacement of guns.

Mr. SHERLEY. In that connection, of course, there are some things that are secret.

Mr. MANN. Certainly there are.

Mr. SHERLEY. If the gentleman will permit, I think there has been a great bugaboo about the fortifications bill, and I have said to the Army and I have said to this House that most of the things that they think ought to be kept secret are better known to the agents of other countries than to the men who are appropriating the money.

Mr. MANN. I agree with the gentleman about that. I think most of the things that are kept secret are kept secret under false ideas, but if there is any one thing in the Government that ought to be kept secret, it is the expenditure of some fund like this by the State Department, and much more reason for it than any other department. I have no doubt whatever that the gentleman from Missouri in the investigation which he has made in this matter may have done some good checking up the State Department so that they would not expend this fund for purposes that they ought not to expend it for, and it is very likely that there has been expenditures made that ought not to have been made out of this fund, but in the end there must be a chance to make expenditures out of some fund which will not become public. You can not pass that around among so many men. Who would you give it to if you wanted to let somebody in the House have the right to make investigations? I have no doubt that under ordinary conditions that any Member most could go up there and have information given to him confidentially, whether he is on either one of the committees or not, but there must be some method, or ought to

be, we being practical men, of expending some money without making it public.

Mr. HAMLIN. Mr. Chairman, the gentleman has practically covered what I wanted to suggest. My question was simply this: Under the present practice up there the President, of course, is presumed to know how this money is expended. The Secretary of State is presumed to know how it is expended, the three Assistant Secretaries of State, the chief clerk, and perhaps a dozen or more ordinary clerks in the department and the disbursing officer. Now, does the gentleman think that, leaving myself out of it, of course, Senator KENYON, chairman of the Expenditures Committee in the Senate, is less patriotic than all of these parties whom I have mentioned down there; that if he should see an item that ought not to be made public that he would violate that confidence, or that I would violate it?

Mr. MANN. Certainly not; but what good could the gentleman do with the information? Nothing. But, Mr. Chairman, the chairman of the Committee on Foreign Affairs can do something with the information, because he can cut down the appropriation for the ensuing year; but the gentleman from Missouri having the information, what can he do with it? If it is confidential, he can not divulge it.

Mr. HAMLIN. If the gentleman will permit just another word. The gentleman from Missouri would not do anything with an item that ought not to be made public, but the gentleman from Missouri would do something with items that ought not to be kept secret. Now, what has the gentleman to say about the \$20,000 that was appropriated to pay the expenses of the celebration on Lake Champlain and which was covered by a secret certificate?

Mr. MANN. Oh, I do not say anything about it; I do not know anything about it in detail. I do not see any objection to the expenditure of money for that purpose; in fact, it was understood here in the House that the money would be expended for that purpose when the appropriation was made. The gentleman may not be familiar with the fact.

Mr. HAMLIN. Does the gentleman indorse the use of that money to pay the expenses of the members of the Legislature of New York State to that celebration and return?

Mr. MANN. Well, I will say to the gentleman that when they were going to have this celebration up in New York there was at one time a proposition for Congress to make a direct appropriation for it. It was afterwards stated that was not necessary, although Congress was willing to do it, as I understand it, and that the money would be expended from money of the department referring to this appropriation. And I do not see any objection to paying the expenses of the members of the Legislature of the State of New York any more than paying the expenses of gentlemen in this House under certain conditions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection. [After a pause.] The Chair hears none.

Mr. MANN. We have paid expenses of Members of this present House under conditions far more subject to criticism than was the State Department in paying the expenses of whoever they paid expenses for in connection with that celebration. And I am not disposed to drag that out or criticize it. Those are matters of opinion at the time.

Mr. SHERLEY. Will the gentleman yield to a question?

Mr. MANN. I will.

Mr. SHERLEY. I thoroughly agree with the gentleman as to secrecy of this fund. The reason I suggested the chairman of the investigating committee should have the information is this: That when an investigation of that department is undertaken it may follow certain channels that immediately runs it up against the proposition that these matters are confidential. That results in an unnecessary confusion and frequently necessitates a course very much more harmful to the Government than if the chairman was in a position to have for his own information accurate knowledge of what had occurred. And I do not think it is making it public to simply say that the chairman of the Committee on Expenditures in the State Department, the very committee which is specifically charged with the duty of seeing that moneys are not improperly spent, should have that information. Now, the gentlemen says that the chairman of the appropriating committee ought to have it, because he can do something about it. I do not see how he can do anything about it except he can report a bill with a larger or less appropriation for this particular fund.

Mr. MANN. That is what I mean.

Mr. SHERLEY. The investigating committee can properly bring it to the attention of the House. It does not seem to me that you get undue publicity by adding the Committee on Expenditures in the State Department.

Mr. MANN. Where the gentleman and I do not agree is that I do not think the expenditures ought to be made public unless the State Department is willing to have them made public. I do not think some committee ought to have authority to require expenses to be made public because such expenses are not secret. We do not have to appropriate a dollar if we do not want to do so, and I would be willing to let the ranking member of the Committee on Foreign Affairs have the same privilege, and if they think it is improper to let them have the money they ought not to have the appropriation.

The CHAIRMAN. The time of the gentleman has expired. Does the gentleman from Kentucky make his point of order?

Mr. SHERLEY. I agree with the gentleman that, broadly speaking, the knowledge of expenditures of this fund ought to remain with the State Department. I do not agree with the gentleman that such a condition of affairs might arise under it that it would be improper to make it public to anyone. The very purpose of having anybody to know the inside history of the expenditure is that there may be some judgment other than the State Department as to the wisdom or propriety of the expenditure of the money. Now, the need for secrecy usually exists at the time and immediately afterwards, is rarely a continuing need, and to say that a committee peculiarly charged with the duty of investigating that department should not have the information seems to be totally to misconceive the purpose of these committees. It is true that in the past appropriating committees have been all powerful and investigating committees have been all negligible. But that is not the contemplation of the law creating them, and if we have any publicity it ought to go to the committee that has to do the investigating.

The CHAIRMAN. Does the gentleman make a point of order or withdraw it?

Mr. SHERLEY. We are discussing it for a moment.

Mr. KENDALL. Mr. Chairman, I want to make a suggestion or two, if the gentleman from Kentucky [Mr. SHERLEY] has concluded. I agree entirely with his suggestion that some authority aside from the Secretary of State ought to have the right to review this expenditure of money. This appropriation for emergency purposes has been available in the State Department for many years and generally has equaled or exceeded the \$90,000 estimated for the current year. Within the last 12 months a very stringent criticism has been leveled against the Secretary of State because of certain expenditures of this fund which were alleged to be irregular. I think, and I am frank to say it, that the State Department would better have submitted to the committee a candid statement of all the facts that were available, without evasion or equivocation or delay, so that the House of Representatives, which appropriates the money and makes possible the expenditures that are contemplated under this section, would have been in possession of all the facts. Now, I believe we have gone past the time when we can agree with the gentleman from Illinois that there ought to be any fund in the Department of State or any other Department subject to disbursement and that disbursement be concealed from the Congress of the United States which provides it.

The proposition all turns upon this inquiry: What representative of the House and of the Senate should be allowed to inspect the expenditures which have been made by the Secretary of State. I think we are all in substantial agreement that the House and the Senate, through some instrumentality, ought to have supervision over these expenditures, or, at least, ought to have information as to the purpose for which the expenditures have been made. We had the matter before the Committee on Foreign Affairs, as suggested by the chairman, where it received very careful consideration. The Secretary of State was consulted, and I believe the gentleman from Missouri, the chairman of the Committee on Expenditures in the Department of State, was conferred with, and this provision which we have incorporated in this bill, subject, of course, to a point of order—if a point of order is interposed against it—was the result of our deliberation. It provides that the vouchers for the money expended under this emergency appropriation shall be itemized and subject, whenever required, to the inspection of the chairman of the Committee on Foreign Affairs of the House and the chairman of the Committee on Foreign Relations of the Senate.

Mr. HAMLIN. Will the gentleman yield just for a moment?

Mr. KENDALL. I will.

Mr. HAMLIN. The gentleman does not mean to convey the impression, I am sure, that "the gentleman from Missouri"—myself—the chairman of the Committee on Expenditures in the State Department, was consulted?

Mr. KENDALL. I thought the gentleman from Missouri had been consulted.

Mr. HAMLIN. Oh, no.

Mr. KENDALL. Then I am in error, and I withdraw that implication. Now, we meet this situation here in the House.

Some gentlemen think we ought to authorize this expenditure subject to the inspection of nobody, and some gentlemen think we ought to allow the inspection to be made by all Members of the House.

And we have this anomalous condition arising: The gentleman from Kentucky [Mr. SHERLEY] threatens to interpose a point of order, which, of course, will eliminate the provision entirely from the bill, unless the chairman of the Committee on Expenditures in the Department of State shall also be included; and the gentleman from Illinois [Mr. MANN] threatens to interpose a point of order, which will be equally effective, if the chairman of the Committee on Expenditures in the State Department is included. Now, I hope neither of these gentlemen will enforce his threat.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Illinois?

Mr. KENDALL. Yes; I will yield to the gentleman.

Mr. MANN. Is the gentleman familiar with the fact that the chairman of the Committee on Expenditures in the State Department has reported a bill covering this entire subject, which will give the House of Representatives an opportunity really to study the subject of the safeguards referred to?

Mr. KENDALL. I am not willing to concede that the consideration which the gentleman from Illinois [Mr. MANN] and the gentleman from Missouri [Mr. HAMLIN] and the gentleman from Kentucky [Mr. SHERLEY] have given to this subject is not a proper consideration of it.

Mr. MANN. But the gentleman will admit that this is only six lines long, and I think the gentleman's bill is nearly six pages long.

Mr. KENDALL. Well, the account of the creation of the world does not occupy much more space in Holy Writ than this provision in the bill. I was going to say that that would be news to the gentleman from Illinois. [Laughter.]

Mr. MANN. It would be, coming from the gentleman from Iowa. It is only a wild guess, and a misstatement at that. [Laughter.]

Mr. KENDALL. Mr. Chairman, I ask for one minute more. I wish to call attention to the deliberation exercised by the gentleman from Illinois when he concluded that I was mistaken in that statement. [Laughter.]

Mr. LONGWORTH. I want to ask the gentleman from Iowa if this proviso received the assent of the entire committee?

Mr. KENDALL. It was submitted to the full committee and it was unanimously indorsed. The entire wisdom of the committee is concentrated in that proviso.

The CHAIRMAN. Is the point of order withdrawn?

Mr. SHERLEY. If the point of order is withdrawn I desire to offer an amendment.

Mr. KENDALL. The point of order is only in process of withdrawal.

The CHAIRMAN. The Chair does not know whether the point of order is pending or not.

Mr. MANN. If the gentleman is through I want to make myself clear. I make the point of order against the proviso, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. SISSON. Mr. Chairman, does the point of order go to the proviso or to the paragraph?

Mr. SULZER. Only to the proviso, after the word "dollars," on line 8, page 11, striking out the balance of the paragraph.

Mr. SISSON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SISSON. If the proviso goes out, ought not the whole paragraph to go out?

The CHAIRMAN. The point of order was made only to the proviso.

Mr. SISSON. I want to make a point of order as to the whole paragraph if the proviso goes out.

Mr. SULZER. That is not subject to a point of order.

Mr. SISSON. I want to make a point of order to the whole paragraph, on the ground that it is legislation. I do not think, except by unanimous consent, that—

Mr. KENDALL. It is simply the old provision of law, if the proviso goes out.

Mr. MADDEN. This is under the Revised Statutes. This is the law.

Mr. SISSON. I understand; but, Mr. Chairman, I insist that if the proviso is added to the paragraph the whole paragraph ought to go out.

Mr. SULZER. Mr. Chairman, I want to say to the gentleman that the proviso is new legislation, and a limitation upon the appropriation. The appropriation itself is made in accordance with law, and is not subject to a point of order.

The CHAIRMAN. The Chair will state that the point of order is not made to the entire paragraph, as the Chair understood, but only to the proviso.

Mr. SISSON. What is the law that the gentleman refers to?

Mr. BURLESON. Section 291 of the Revised Statutes.

Mr. TILSON. Mr. Chairman, the gentleman from Mississippi [Mr. SULZER] evidently comes too late with his objection. If he had made the point of order in time, the whole paragraph would have gone out on account of it being out of order; but only a part of it was out of order, and it has already been ruled upon.

Mr. SISSON. Those gentlemen who make the point of order on the proviso can not cut off members of the committee from making a point of order against the whole paragraph.

The CHAIRMAN. The point of order was only to the proviso.

Mr. SISSON. I understand the point of order was made against the whole paragraph.

The CHAIRMAN. The Chair does not so understand. The Clerk will read.

The Clerk read as follows:

To enable the Secretary of State to mark the boundary and make the surveys incidental thereto between the Territory of Alaska and the Dominion of Canada, in conformity with the award of the Alaskan Boundary Tribunal and existing treaties, including employment at the seat of government of such surveyors, computers, draftsmen, and clerks as are necessary to reduce field notes; and for the more effective demarcation and mapping, pursuant to the treaty of April 11, 1908, between the United States and Great Britain, of the land and water boundary line between the United States and the Dominion of Canada, as established under existing treaties, to be expended under the direction of the Secretary of State, including employment at the seat of government of such surveyors, computers, draftsmen, and clerks as are necessary to reduce field notes, \$75,000, together with the unexpended balance of previous appropriations for these objects.

Mr. MANN. Mr. Chairman, I move to strike out the last word. May I ask how much is the unexpended balance of these previous appropriations?

Mr. SULZER. Mr. Tittman, the Director of the Coast and Geodetic Survey, was before the committee and testified that in his opinion the amount of money herein appropriated would be sufficient if we allowed him the unexpended balance. We did so, and wisely, I think. He testified that the unexpended balance would be about \$80,000 or \$90,000.

Mr. MANN. We appropriated last year under this item altogether, I believe, \$295,000?

Mr. SULZER. We did.

Mr. MANN. You appropriate \$75,000, and I take it you do not wish to reduce the progress of the work?

Mr. SULZER. No; it is a very important work, and we do not cripple the work in any way. Mr. Tittman testified that this would be sufficient; that he could get along with it.

Mr. KENDALL. Mr. Chairman, I want to suggest to the gentleman from Illinois [Mr. MANN] that my recollection is, although I do not have the statement before me now, that the gentleman referred to advised the committee that there was an unexpended balance of \$94,000. But I am not entirely satisfied that that is correct.

Mr. MANN. That may be sufficient.

Mr. KENDALL. It is sufficient. He said that.

Mr. SULZER. I know of the good work Prof. Tittman is doing. We have appropriated substantially all the money he said he would need for the next fiscal year.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL PRISON COMMISSION.

For subscription of the United States as an adhering member of the International Prison Commission and the expenses of a commissioner, including preparation of reports, \$2,000.

Mr. MANN. Mr. Chairman, I offer an amendment as a separate paragraph, to come in after line 19.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Insert as a separate paragraph, after line 19, page 14:

"The United States shall continue as an adhering member of the International Prison Commission and participate in the work of said commission. That the Secretary of the Treasury be, and he is hereby, authorized annually to pay the pro rata share of the United States in the administration expenses of the International Prison Commission and the necessary expenses of a commissioner to represent the United States on said commission at its annual meetings, together with necessary clerical and other expenses, out of any money which shall be appropriated for such purposes from time to time by Congress."

Mr. SULZER. Mr. Chairman, I reserve a point of order on that.

Mr. MANN. I will say to the gentleman from New York that this is simply the resolution which his committee has already reported.

Mr. SULZER. I know that. I introduced the resolution. I reported the resolution from the committee. It is on the calendar. I will say to the gentleman from Illinois and to the Mem-

bers that the reason I did so was to accomplish this very purpose—to put behind this appropriation, which is for a very important matter, a law so that in future it would not be subject to a point of order.

Mr. MANN. If the gentleman will permit, I was going to give the gentleman credit. This is his resolution.

Mr. SULZER. Quite true.

Mr. MANN. It is absolutely his resolution. I do not ask credit for it. The gentleman himself could not very well offer this as an amendment to this bill, the resolution having been reported subsequent to the reporting of this bill; but I think everyone is agreed that we ought to take a course that will make it law.

Mr. SULZER. I think so.

Mr. MANN. This puts it in shape where it will receive attention not only here but in the other body, and I hope the gentleman will not make the point of order.

Mr. SULZER. I agree with the gentleman, and, in view of the circumstances, I withdraw the point of order.

Mr. BURLESON. I renew the point of order.

Mr. MANN. Will not the gentleman reserve it?

Mr. BURLESON. I will reserve it, certainly. I thought the gentleman had concluded.

Mr. MANN. We have an international prison congress. They had a meeting a couple of years ago here in this country. We participate in that congress, which is of great value. Every prison warden in the United States is familiar with the work of that international prison congress. Last year this item went out of the bill on a point of order, because there was no permanent law for it. The gentleman from New York [Mr. SULZER]—I think very patriotically—introduced this resolution to make this a permanent law, so that we would become an adhering member of that congress.

Mr. BURLESON. What additional expense will it entail on the United States?

Mr. MANN. The total expense is \$2,000 a year.

Mr. SULZER. There will be no additional expense. We have paid annually the same amount for years.

Mr. HAMLIN. Does not this propose to increase the expense?

Mr. SULZER. No.

Mr. MANN. Nothing but the \$2,000. Congress might increase it, but \$2,000 a year is all that is asked for.

Mr. SULZER. Mr. Chairman, we have been a member of the International Prison Commission ever since 1896, and our pro rata share of the expense has been about \$2,000 a year. We have paid it every year except last year, when the gentleman from New York [Mr. HARRISON] made a point of order against it and it went out of the bill on that point of order. I want to say that it is subject to a point of order, and so as to obviate that in the future I introduced a resolution to put behind it a law, and it was reported unanimously by the Committee on Foreign Affairs on March 21, 1912. The Government of the United States is a member of this commission; it participates in its proceedings and derives its share of the benefits of the work accomplished. Of course we should pay our share of the expenses, and there should be a statute to that effect, so that the question of whether the appropriation is authorized or not authorized can not be invoked under the rules of the House.

The object of the International Prison Commission is to study the problems relating to the suppression of crime, the protection of society, the proper treatment of the criminal, the moral rescue of children, the organization of every means for preventing the discharged prisoner from relapsing into a life of crime, and every agency that makes for true prison reform.

Mr. HAMLIN. That is not the point I was asking about. As I understood the reading of the resolution, it provides for the appointment of delegates to this meeting. The gentleman from Illinois says it would only cost \$2,000 a year. If we are going to send delegates, it may cost \$10,000 or \$15,000 a year.

Mr. MANN. I will say to the gentleman that we have been sending a delegate for years.

Mr. SULZER. We have one delegate.

Mr. MANN. The only purpose of this amendment is to keep this item in the bill over a point of order.

Mr. BURLESON. If it is not contemplated to enlarge the appropriation, in view of the statement made by the gentleman from New York I will withdraw the point of order.

Mr. HAMLIN. Wait a minute. I shall have to reserve the point until I get my information.

Mr. KENDALL. It simply gives us an official relation to this International Prison Congress; that is all.

Mr. HAMLIN. I should like to get it into my mind a little more clearly that there will be no additional expense.

Mr. KENDALL. There is no additional expense to what we have had year after year.

Mr. MANN. I can not guarantee that Congress will not increase the appropriation in future. No one can guarantee that. The appropriation has been made for years at \$2,000 a year. We have had a commissioner all the time. He attends these meetings abroad. To be perfectly frank with the House, most of the expenses are paid by the association outside of Congress.

Mr. HAMLIN. The gentleman from Illinois has just handed me the resolution, and I have only now had the opportunity to read it.

Mr. MANN. That is the resolution.

Mr. HAMLIN. This gives me the information I wanted. I thought it provided for the appointment of a delegation.

Mr. MANN. Not at all.

Mr. SULZER. That is quite true.

Mr. HAMLIN. That is what I was asking for. I did not understand it. I withdraw the point of order. I have no objection to this.

The CHAIRMAN. The point of order is withdrawn. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The amendment was agreed to.

The CHAIRMAN. The Chair wishes to make a request. The Chair has been informed that the notes of the Official Reporter show that the gentleman from Illinois [Mr. MANN] made a point of order to the entire paragraph instead of to the proviso on page 11. The Chair understood it to be against the proviso only, and the discussion which followed seemed to be confined to that; but if the Chair was mistaken, as it seems he was, the Chair would like to ask unanimous consent that his ruling may go to the whole paragraph, and to return to page 11 for that purpose. The gentleman from Illinois [Mr. MANN] knows of course, and he can state whether he did make a point of order to the proviso or to the whole paragraph.

Mr. MANN. The Chair did not appeal to me at the time, and the matter passed off so quickly that I did not volunteer any information. I did reserve a point of order to the whole paragraph. Later I made a point of order on the proviso, and the Chair sustained the point of order on the proviso.

The CHAIRMAN. The Chair understood the gentleman to make his point of order to the proviso.

Mr. SISSON. That being the fact, I asked to be allowed to make a point of order against the entire paragraph, because the point of order had been reserved, not only by the gentleman from Illinois, but the gentleman from Kentucky [Mr. SHERLEY] stated that unless certain matters were agreed to he would make the point of order.

Mr. KENDALL. The gentleman from Illinois made the point of order against the proviso.

Mr. SISSON. Since he reserved it on the entire paragraph, I wanted to make it on the entire paragraph.

The CHAIRMAN. Does the gentleman from Mississippi ask unanimous consent to return to the paragraph for that purpose?

Mr. SISSON. Mr. Chairman, I am not going to press the point any further, for the reason that if the committee should favor the paragraph covered by the present law it would vote the paragraph in.

The CHAIRMAN. The Chair did not want to deprive any Member of the privilege of making a point of order by any mistake that the Chair may have made.

Mr. SISSON. That was the only reason I insisted on it; I thought that I was within my rights when I asked to reserve a point of order on the paragraph.

The Clerk read as follows:

To meet the share of the United States in the expenses for the year 1911 of the International Bureau of the Permanent Court of Arbitration, created under article 22 of the convention concluded at The Hague July 29, 1899, for the pacific settlement of international disputes, \$1,250.

Mr. MANN. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry. Heretofore this appropriation has been carried to meet expenses for the calendar year. I wish to ask whether the gentleman omitted that on purpose, or whether it was through error, because where we use the word "year" in an appropriation bill it generally means the fiscal year, and there might be some trouble about it. I think it should be the calendar year, and I move to insert, in line 16, before the word "year," the word "calendar."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, line 16, page 15, by inserting before the word "year" the word "calendar."

Mr. SULZER. Mr. Chairman, the gentleman from Illinois, in my judgment, is right, and the word "calendar" should be in there. I see that it is in the estimates sent to the committee by the Secretary of the Treasury. I hope the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. BARTHOLDT. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Insert at end of line 21, page 15: "That the Secretary of the Treasury is hereby authorized to pay to the Secretary of State, out of any money in the Treasury not otherwise appropriated, the quota of the Congress of the United States as its contribution toward the maintenance of the Bureau of the Interparliamentary Union for the Promotion of International Arbitration at Brussels, Belgium."

Mr. HAMLIN. Mr. Chairman, I reserve a point of order to that.

Mr. BARTHOLDT. Mr. Chairman, this amendment carries no appropriation. It is merely an authorization for an appropriation which has already been made in previous bills. Two years ago the Congress made an appropriation of \$2,500 for the maintenance of the International Bureau of the Interparliamentary Union, now located at Brussels. By that appropriation the American Congress has committed us to the policy of supporting that bureau in conjunction with the other parliaments, but by inadvertence the appropriation was left out last year, and this omission has caused considerable embarrassment to the Interparliamentary Union, because it had counted on a contribution which is merely our pro rata share for the maintenance of that international bureau. A point of order was made against it in the House, and the bill went to the Senate where the item was inserted. It came back to the House and the House agreed to it, but it seems that in making up the bill in the final hours of the session of Congress, just before adjournment, the item was inadvertently lost by the clerks, and on that account no appropriation was made last year. We do not ask an appropriation for two years now, but merely ask that Congress contribute its quota for this year in order to keep our faith with the other parliaments of the world. A bill embodying the same terms was presented to the Committee on Foreign Affairs and unanimously recommended by that committee. That bill is now on the calendar of the House, and I sincerely trust, therefore, that the point of order will not be made.

Mr. HAMLIN. The statement which the gentleman from Missouri makes as to there being a bill reported from the Committee on Foreign Affairs now on the House Calendar renders it unnecessary to put the item in this bill, and I shall have to insist on my point of order.

Mr. BARTHOLDT. The gentleman probably understands that when this bill reaches the Senate, in order to secure action which we ought to have in all fairness and in all justice, this item will be inserted, and then, instead of the popular branch of this Government receiving credit for making the appropriation, the credit will be given to the Senate of the United States.

Mr. SLAYDEN. With the permission of the gentleman who has the floor, I would like to ask the gentleman from Missouri [Mr. HAMLIN] a question. Do I understand that the gentleman from Missouri favors the enactment of a bill which the gentleman from Missouri [Mr. BARTHOLDT] has referred to?

Mr. HAMLIN. I will state frankly that I do not know, for I have not read it.

Mr. SLAYDEN. I thought that was a fair inference from the remarks that the gentleman made.

Mr. HAMLIN. I stated that I understood there was such a bill reported by the committee and now on the calendar, and that if so, the gentleman's proposition was not in so bad a condition.

Mr. SLAYDEN. Let me ask the gentleman if he objects to such an appropriation as is proposed here?

Mr. HAMLIN. I will answer that question when we come to it. I am willing that the Senate should have any credit that will be given for this appropriation, and therefore I insist on the point of order.

The CHAIRMAN. The Chair sustains the point of order.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SHERLEY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Curtiss, one of its clerks, announced that the Senate had passed the following resolutions (S. Res. 267):

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. HENRY H. BINGHAM, late a Representative from the State of Pennsylvania.

Resolved, That a committee of 11 Senators be appointed by the President pro tempore to join the committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased at Philadelphia.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate take a recess until to-morrow at 1 o'clock and 45 minutes post meridian.

And that in compliance with the foregoing resolution the President pro tempore had appointed as the committee on the part of the Senate Mr. PENROSE, Mr. OLIVER, Mr. CLARK of Wyoming, Mr. CURTIS, Mr. NELSON, Mr. SMITH of Michigan, Mr. BAILEY, Mr. STONE, Mr. NIXON, Mr. OVERMAN, and Mr. CHILTON.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For the payment of the quota of the United States for the support of the International Institute of Agriculture for the calendar year 1913, \$4,800.

Mr. SLAYDEN. Mr. Chairman, I move to strike out the last word for the purpose of asking for information. Is this International Institute of Agriculture an institution that has its headquarters in Rome?

Mr. SULZER. It is.

Mr. SLAYDEN. And issues an occasional publication?

Mr. SULZER. It issues a great many publications.

Mr. SLAYDEN. I would like to know what benefit it is to anybody except the gentlemen who receive the salary. Does it gather and distribute statistics gathered by boards of trade which are well known to all merchants engaged in international trade long in advance of these publications?

Mr. SULZER. Mr. Chairman, the International Institute of Agriculture in Rome is under the direction of an American citizen, Mr. David Lubin.

Mr. SLAYDEN. Who put it there?

Mr. SULZER. Mr. Lubin did, by the generosity of the King of Italy. There is much to be said in favor of this institute and how it was created. Mr. Lubin for years tried to get the Government of the United States to take an interest in agricultural matters—the improvement of the soil, the adaptability of the soil, and all things connected therewith that mean so much in material benefits to the people. However, his pleadings met with deaf ears in the United States. Finally he went to Rome and got the ear of the King of Italy. The King became interested, and out of his own pocket gave the money to establish this International Institute of Agriculture. It is one of the finest buildings in Rome. It is maintained principally by the King of Italy. I believe there are forty-odd Governments now members of this International Institute of Agriculture.

Mr. LEVY. Forty-eight.

Mr. KENDALL. There are 50 now.

Mr. SULZER. The late ranking Republican member of this committee, formerly its distinguished chairman, the late Hon. David Foster, of Vermont, a very dear friend of mine—and no one regrets his untimely death more than I, and when the proper time comes I shall pay due tribute to his memory—informed me that he represented this Government recently at a congress held in this institute and that he had carefully investigated the great work that this International Institute of Agriculture was doing, and was enthusiastic concerning its material results.

[The time of Mr. SLAYDEN having expired, by unanimous consent, at the request of Mr. SULZER, it was extended for five minutes.]

Mr. SLAYDEN. Mr. Chairman, I hope the gentleman from New York will be willing to grant me some of my own time.

Mr. SULZER. Certainly. I shall be glad to ask that the gentleman's time be further extended. But pardon me if I say that there is nothing in this country to-day that makes so much for its material wealth and progress as the improvement of the soil. The soil experiments which have been made, and the great work which has been done by that dear old man in the Botanic Garden, Hon. William R. Smith, who is about to pass over the great divide to that undiscovered country from whose bourne no traveler returns, will be a monument to his greatness and his foresight for centuries to come. He has done much for the improvement of the soil and to disseminate knowledge as to the adaptability of the soil. God bless him. He has been a benefactor to his race. Then we have the great wizard, Luther Burbank, of the Pacific coast. We know what he has done along these lines. Then we have this philanthropic American merchant, Mr. David Lubin, a citizen of our country, who has expended a great part of his life and fortune in doing everything that he can do to teach the people what the soil will do if it is properly watered and nourished. Great men, these! Mr. Lubin is entitled to much credit for what he has done. Our Government is an adhering member of this International Institute of Agriculture. We get great benefits from it, and those benefits are distributed all over this country, and they materially help our agriculturists, and anything that will help the agriculturists of our land is a good thing, in my judgment, and I am in favor of it. Nearly all of our wealth comes from the soil. Anything that will teach the people how they can make the soil produce

more than it does now, how to make two bushels of grain grow where one grows now, is a good thing, and we ought to do everything we can to promote it. This is no place to economize. Economy here is waste. This appropriation should not be stricken out.

Mr. SLAYDEN. Mr. Chairman, my question, which was an innocent one and intended merely to elicit a little information, has not accomplished its purpose, but it has given us the benefit of a very entertaining and discursive address by the gentleman from New York [Mr. SULZER], who states the perfectly obvious and generally accepted things with persuasive eloquence. Of course we know a great deal of the wealth of the world is derived from agriculture and it ought to be supported and we are all in favor of it, but the gentleman has failed to tell us in any particular what benefit is to come to agriculture or to the commerce of the world from this institute in Rome. I have somewhere, somehow, read or heard that there is one Lubin, who makes extracts, and it occurred to me that perhaps this gentleman might be of that family.

Mr. SULZER. No; no relation.

Mr. SLAYDEN. Of course here is an appreciable extract from the Public Treasury, with no appreciable benefit, no perceptible benefit to come from it. I have seen a few of those publications. I took occasion to look over some of them. They publish statistics that have been known to the trade in advance. They gave advice about facts that had occurred so long a time before the publication that there was not a man interested in them who did not know all about it before they were issued from the press in Rome. We all know that water put on the soil will make plants grow. We know if the soil is cultivated the yield will be larger. We do not need to be told those things from a publication office in Rome.

Mr. HAYES. Mr. Chairman, will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. HAYES. I think the gentleman's question went to the matter of crop statistics, did it not?

Mr. SLAYDEN. To the whole thing.

Mr. HAYES. Does the gentleman know that the institute of agriculture furnishes to the Department of Agriculture here in Washington those statistics for its use?

Mr. SLAYDEN. I do not know, but I do know that the Department of Agriculture has always published a great many statistics that had been known to the trade for a long time before they were issued by the Department of Agriculture.

[The time of Mr. SLAYDEN having again expired, by unanimous consent, at the request of Mr. SULZER, his time was extended for five minutes.]

Mr. HAYES. Mr. Chairman, I trust the gentleman does not mean to imply that he thinks the crop statistics collected by the Department of Agriculture and published for the benefit of the people of the United States are valueless. That is not his claim.

Mr. SLAYDEN. No; I did not say that or anything that warrants that conclusion.

Mr. HAYES. Then, I can not understand why the gentleman should object to statistics officially collected in the same manner for the different countries of the world and supplied to the Department of Agriculture for the use of the United States as well as for the people of other countries.

Mr. SLAYDEN. Well, what I want to say, Mr. Chairman, is this, that we have a bureau here gathering statistics in a very expensive way.

Mr. HAYES. For this country; yes.

Mr. SLAYDEN. For this country, and we have agents reporting everywhere on the trade and agricultural products of other countries as well.

Mr. HAYES. No; I beg the gentleman's pardon, the gentleman is in error. Those statistics are furnished—

Mr. SLAYDEN. Put your finger on one single benefit that is done by this institute in Rome. Who reads these reports? Do you?

Mr. HAYES. I do. These statistics are furnished by the International Institute of Agriculture—

Mr. SLAYDEN. What statistics?

Mr. HAYES. Of crops.

Mr. SLAYDEN. Crop statistics of this country?

Mr. HAYES. For all countries except this.

Mr. SLAYDEN. How old is this institution?

Mr. HAYES. Perhaps four years, three years.

Mr. SLAYDEN. What did we do for figures before that?

Mr. HAYES. We did not have any; that is, not official.

Mr. BUTLER. How did we get into the agricultural business over in Rome?

Mr. HAYES. Through a treaty.

Mr. BUTLER. Are we going over there to sell seeds or to buy them?

Mr. HAYES. Neither one.

Mr. SISSON. Does the gentleman know the name of the individual who draws the \$3,600 salary?

Mr. SLAYDEN. I understand it is one of Lubin's extracts.

Mr. HAYES. No relation to it.

Mr. SULZER. Mr. Lubin draws that salary.

Mr. SISSON. He gets the \$3,600?

Mr. SULZER. Yes.

Mr. SISSON. How did he go over there? Was he sent over there by the Government, or did he happen to be there and furnish statistics for which he got paid?

Mr. SLAYDEN. Mr. Chairman, I yield the balance of my time to the gentleman from Mississippi.

Mr. SISSON. I am simply trying to get information about who gets the salary.

Mr. SULZER. Mr. Chairman, let me say to the gentleman from Mississippi that our Government has been represented in the International Institute of Agriculture for several years. The last representatives that our Government sent over to Rome to participate in its deliberations were Hon. David J. Foster, a Member of Congress, who died a few days ago, and who was then the chairman of the Committee on Foreign Affairs; Hon. Charles F. Scott, a Member of this House from Kansas, and then the chairman of the Committee on Agriculture; Hon. E. Dana Durand, who was then and is now the head of the Census Bureau; Victor H. Olmsted, whom I do not know—

Mr. BURLESON. He is a statistician of the Agricultural Department.

Mr. SULZER. And Edgar R. Champlin. Those were the delegates we sent over and who participated in the deliberations. They made a report to the Secretary of State. It is printed. I have read it. The institute, from what I learn, is developing and extending its work conscientiously and rapidly. It is a clearing house for information relating to agriculture and allied subjects, contributed by all the principal nations of the world. Its compilations of such information as is embodied in two bulletins heretofore issued—the one relating to social and economic intelligence and the other to agricultural intelligence and plant diseases—are indicative of the value of bulletins along similar lines to be issued hereafter. Information gleaned from all quarters of the globe, when brought together, can hardly fail to contain much information of value to countries not theretofore possessing it, and it appears to me that this appropriation would be a small price for the United States to pay in aid of disseminating such information in the English language among the people of the United States.

Mr. SISSON. How many of them were great agriculturists and great farmers who understood agriculture?

Mr. SULZER. That is not the question. They were experienced and representative men.

Mr. HAYES. It is not agricultural propositions that come before the institute, but statistics, crop statistics, the agricultural statistics of the world.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SULZER. Mr. Chairman, I move to strike out the last two words. I do so in order to say to the gentleman from Mississippi that I have given a good deal of investigation to this International Institute of Agriculture along the lines as to whether it is doing any good or not, and it is my conviction, after careful study, that this institute of agriculture is doing a great deal of good. I want to read in this connection the concluding paragraph of Mr. Foster's report and the report of the gentlemen associated with him to the Secretary of State on their return from Rome:

The members of the delegation desire in conclusion to express their conviction that the International Institute of Agriculture is destined not only to serve a most useful purpose with respect to the gathering and diffusion of information regarding agriculture and commerce throughout the world, but to fill a much broader sphere of usefulness. It is one of the most potent instrumentalities for the unification of the world, for the promotion of the general welfare of the peoples of the earth, for the establishment and maintenance of closer friendly relations among the nations, and for the further development of that earnest cooperation, that unity of action, which is rapidly making one mind and one heart for the world. An abundance of good food at prices which afford just remuneration to the producer and are at the same time within the means of the consumer is one of the essentials of a high civilization.

That speaks for itself. I deem it most important. The institute is doing a great world work, and we should in justice to our own people contribute our share to its support and maintenance.

Mr. SISSON. Mr. Chairman, I asked the gentleman, and he did not catch the question, how this gentleman got this position.

Mr. KENDALL. Will the gentleman allow me to make a suggestion?

Mr. SULZER. Mr. David Lubin, as I understand, is appointed by the Secretary of Agriculture.

Mr. SISSON. Then why is not this appropriation carried in the agricultural bill?

Mr. KENDALL. He is simply designated by the Secretary of Agriculture. Will the gentleman let me have the floor for a moment?

Mr. SULZER. Certainly. I yield to the gentleman.

Mr. KENDALL. Years ago Mr. David Lubin became much interested in the matter of international agriculture, and about 1904 or 1905—I have forgotten which year—the United States Government entered into a treaty with a great number of the first-class powers of the world, by which this organization at Rome was recognized, and we became an adhering party to the institute. The King of Italy, largely through the influence of Mr. Lubin, to whom reference was made here, I think, by the gentleman from California, became very deeply concerned in the promotion of the proposition, and he donated a large and very valuable tract of land, together with the money necessary for the construction of a building in which the institute was to be located. The various nations which are parties to this treaty have been contributing annually certain sums of money to support the institute.

Mr. SLAYDEN. Will the gentleman permit a question right there?

Mr. KENDALL. I will.

Mr. SLAYDEN. Do those other Governments, 50 of them, I think you say, contribute as much as we do?

Mr. KENDALL. My recollection is that we are one of the smallest contributors of the large Governments.

Mr. SLAYDEN. With this \$23,000 you propose to take out of the American Treasury this year?

Mr. KENDALL. My impression is that when we consider powers like France and Germany, our contribution is the smallest of the lot.

The CHAIRMAN. The time of the gentleman from New York [Mr. SULZER] has expired. Debate on this amendment is exhausted.

Mr. KENDALL. What is the motion?

The CHAIRMAN. The motion was to strike out the last two words of the paragraph.

Mr. KENDALL. If this motion is not to be insisted on, I do not wish to occupy the attention of the committee further.

The Clerk read as follows:

For salary of one member of the permanent committee of the International Institute of Agriculture for the calendar year 1913, \$3,600.

Mr. HAMLIN. Mr. Chairman, I make a point of order against this; but if the gentlemen wish to say something I will reserve it.

Mr. KENDALL. Mr. Chairman, I do not wish to discuss the point of order, but I want to present a few facts that I think will induce the gentleman from Missouri [Mr. HAMLIN] not to insist on his point of order. What I was about to say, Mr. Chairman, is this, that these various nations have contributed to the support of the institute, and Mr. Lubin, out of his own private resources, has been devoting his time and his attention and his energy to the promotion of the work. I think he has been there for the past dozen years, maintaining himself at his own expense. He was originally a man of very large means.

I understand that he is not so full handed now as he was previously, but in any event, if this Government is to avail itself of the services of Mr. Lubin in the relation which he has occupied to it in the last dozen years, it ought not to hesitate to make a reasonable allowance for his compensation.

Now, some gentlemen have manifested considerable innocence concerning this institute at Rome, its purposes and functions, and the duties it has been performing. It is simply a State department of agriculture magnified to include the world. We have in Iowa an institution maintained by the State which collects information from every section of the Commonwealth, information on soils, information as to grains, information as to breeding, and all information that is valuable to be employed by people engaged in agriculture, and it has been of incalculable advantage to the people of the State.

Mr. BUTLER. Will the gentleman yield? I can readily understand how it would be profitable in the State of Iowa to gather information from the four corners of the State, but tell me wherein does the profit come to America in gathering this information relative to agriculture from some country that we could not employ here.

Mr. HAYES. It indicates the supply of the material.

Mr. KENDALL. That is the whole thing in a nutshell, or a considerable part of the whole thing in a nutshell.

Mr. BUTLER. Does this help us make a market?

Mr. KENDALL. Certainly it does, and gives us information concerning the production of cereals all over the world.

Mr. HAYES. Of all food products whatever.

Mr. SLAYDEN. What was this valuable information that the gentleman was speaking of in regard to being in tabloid form?

Mr. KENDALL. I said it was a considerable part of it in a nutshell. The gentleman suggested that this institute collected information in reference to crops all over the world, and that its statistics are available for us in this country.

Mr. SLAYDEN. You made a statement about an analysis of the soils and information about the productions of Iowa being gathered. Are they being gathered and sent to Rome to be distributed throughout the world?

Mr. KENDALL. I was simply using that as an illustration, to demonstrate that this institution at Rome is on a large scale. Of course, I do not think it does that work so intelligently or so efficiently as Iowa does on its smaller scale.

Mr. SLAYDEN. Do you think we get \$23,400 worth of good from this employment?

Mr. KENDALL. I have not the slightest doubt of it.

Mr. SLAYDEN. Do you not think your price of admission is entirely too high?

Mr. KENDALL. The appropriation is quite moderate, indeed.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. KENDALL] has expired.

Mr. KENDALL. I have not the slightest doubt this has been one of the best investments the Government has ever made.

Mr. HAYES. I wish to be heard on the point of order. I asked the Chair some time ago.

The CHAIRMAN. The point of order had not been made, but only reserved.

Mr. HAMLIN. Mr. Chairman, I make my point of order.

The CHAIRMAN. The point of order must be sustained if the gentleman makes it.

Mr. HAYES. Will not the Chair hear me on the point of order? Mr. Chairman, I do not think it is subject to a point of order. I have not the treaty here, but we can get it in a moment. I refer to the treaty we have made not only with Italy, but with all of these other 50 Governments, agreeing to furnish a certain proportion for maintaining the expenses of this institute, which is provided in the first paragraph.

Mr. SLAYDEN. Does the gentleman really mean a treaty?

Mr. HAYES. Yes.

Mr. SLAYDEN. Ratified by the Senate?

Mr. HAYES. Yes, sir; made by the President and ratified by the Senate.

Mr. KENDALL. And it has also been legislated for?

Mr. HAYES. Yes; it has been legislated for for several years here, in accordance with the treaty. Now, this treaty not only provides for our paying our proportion—

Mr. HAMLIN. Mr. Chairman, will the gentleman permit a question there?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Missouri?

Mr. HAYES. Yes.

Mr. HAMLIN. The point of order is made against the second paragraph, not the first. The gentleman does not mean that the treaty requires us to pay a man a salary?

Mr. HAYES. No; but it gives us legislative authority for it.

Mr. HAMLIN. We do not need legislative authority. Congress already has that authority.

Mr. KENDALL. Will not the gentleman agree that if the treaty devolves certain obligations upon us, there is ample authority for Congress to appropriate?

Mr. HAMLIN. Certainly not. You can not confer upon Congress any more authority than it has.

Mr. HAYES. But if you agree by treaty, which is the supreme law of the land, to pay our share of the maintenance of this Institute of Agriculture, the gentleman certainly would not claim that we would not have authority to pay for the attendance of a representative there, without which that institute would be valueless to us.

Mr. HAMLIN. We have authority, but there is no existing law authorizing it; and I make a point of order against it.

Mr. HAYES. I say there is authority for it. The treaty authorizes it; and not only that, but the treaty provides for a biennial assemblage, provided for in the next paragraph, to which we are expected to send representatives. To be sure, under that treaty we are not actually obliged to send the representatives; but after that treaty gives us authority to provide the representation, we have authority to make that appropriation, and last year we did make it.

Mr. BUTLER. Mr. Chairman, will the gentleman allow me to interrupt him?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Pennsylvania?

Mr. HAYES. Yes.

Mr. BUTLER. This paragraph makes an appropriation for the salary of one member. Who is that member?

Mr. HAYES. Mr. Lubin. He is the permanent representative of this country there.

Mr. BUTLER. The next paragraph is for the payment of the expenses of delegates. Who are those?

Mr. HAYES. They are the delegates of this country. They have not yet been appointed, I understand. There were five delegates representing this country at the last assemblage.

Mr. BUTLER. Their expenses are paid out of this appropriation?

Mr. HAYES. Yes.

Mr. BUTLER. How many Members of the House go as delegates?

Mr. HAYES. Two Members of the House went last year; I think Mr. Scott of Kansas and Mr. Foster of Vermont.

Mr. MANN. One Member and one ex-Member.

Mr. KENDALL. Mr. Scott was chairman of the Committee on Agriculture at the time he was appointed?

Mr. HAYES. Yes. He was chairman of the Committee on Agriculture at the time he was appointed.

Mr. BUTLER. Mr. Foster and Mr. Scott were certainly delegates who were competent.

Mr. HAYES. There were also two men from the Department of Agriculture and the Director of the Census. Those three and the two I have mentioned were the delegates.

Mr. BUTLER. I was trying to see if I could not go myself. [Laughter.]

Mr. HAYES. It seems to me, Mr. Chairman, aside from the point of order, very poor policy on the part of this Government; and I should hate to see this Government take that stand, that after having made a treaty with the great powers of the world to make this institute of agriculture a success we should, for the sake of saving an expenditure of a few thousand dollars, fail to bear our share, not only of the expense but our part of what it was intended to be, by sending our delegates there and having the representation of this Government there, as all the other Governments have. I hope the gentleman from Missouri [Mr. HAMLIN] will not insist on his point of order.

Mr. SLAYDEN. Have all these other Governments got \$4,800 representatives there or \$3,600 representatives?

Mr. HAYES. They all have representatives there at \$3,600, I presume, but I am not advised as to that.

Mr. SLAYDEN. I understood the gentleman to say that Mr. Lubin was a great philanthropist of large wealth, who is doing this work for the benefit of the world at large?

Mr. HAYES. Yes. He has served without salary. He was the representative of this Government without salary, and last year was the first year that he received any salary.

Mr. SLAYDEN. If the gentleman can submit something more than mere generalities to show that any benefit has come from this institute to this country or to anybody in this country except Mr. Lubin, I would be glad to hear it.

Mr. HAYES. I will say to the gentleman that no benefit has come to Mr. Lubin.

Mr. SLAYDEN. Three thousand six hundred dollars has come to him, apparently.

Mr. HAYES. He has expended out of his own funds four or five times that much in this work.

Mr. GARNER. It seems to me, Mr. Chairman, that if the Chair is satisfied of his conclusions on this matter it would be well for him to rule and let us go on.

The CHAIRMAN. The Chair is ready to rule.

Mr. HAYES. Has the Chair got the treaty there?

The CHAIRMAN. The Chair has not, and the gentleman has not stated the terms of the treaty authorizing this expenditure.

Mr. HAYES. I have seen it often. It provides that—

Mr. HAMLIN. I think the treaty provides that we shall be an adhering member of this institute, and then that we shall pay our proportionate part.

Mr. HAYES. Yes; and it also provides for the attendance of our representatives at the biennial assemblage.

Mr. HAMLIN. I am not making a point of order against that paragraph.

The CHAIRMAN. The Chair is ready to rule.

Mr. FOSTER. Here is the treaty, which says that the International Institute of Agriculture is to be a Government institution, in which each adhering power shall be represented by delegates of its choice.

Mr. HAYES. Composed of one member from each government.

Mr. FOSTER. And then it says that each adherent shall be represented in the permanent committee by one member.

Mr. HAYES. This \$3,600 is to pay the salary of the one member of the committee.

Mr. KENDALL. That gives absolute authority for this appropriation.

Mr. HAYES. There is plenty of authority for the appropriation. There is no question about it.

The CHAIRMAN. To what paragraph does the gentleman make his point of order?

Mr. HAMLIN. The second paragraph:

For salary of one member of the permanent committee of the International Institute of Agriculture for the calendar year 1913, \$3,600.

Page 16, line 3 to line 6.

Mr. FOSTER. I suggest that the Chair had better look at this treaty.

Mr. MANN. Mr. Chairman, I suggest to the gentleman from New York [Mr. SULZER] that this may be a knotty question, and that the Chair ought to have time to examine into it; and inasmuch as it may be inconvenient to obtain the presence of a quorum to-night, it might be well to adjourn, to give the Chair a chance to examine into this matter.

Mr. SULZER. Mr. Chairman, in view of what the gentleman from Illinois [Mr. MANN] has said, I will move that the committee do now rise.

Mr. HAMLIN. If the gentleman will withhold his motion for a moment, I want to state to the Chair that I expect to make the point of order against the next two paragraphs also.

Mr. SULZER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SIMS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 19212) making appropriation for the Diplomatic and Consular Service for the fiscal year ending June 30, 1913, and had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

POTASSIUM DEPOSITS ON THE PUBLIC LANDS (H. DOC. NO. 644).

The SPEAKER laid before the House the following message from the President of the United States, which was read, referred to the Committee on the Public Lands, and ordered to be printed:

To the Senate and House of Representatives:

Among the most acute of the problems faced by our agricultural interests is that of the maintenance of soil fertility, and among the elements of greatest value in maintaining this fertility is the element potassium in its various combinations. In an address delivered at St. Paul, Minn., on September 5, 1910, in discussing the withdrawals of phosphate lands, I stated that "phosphorus is one of the three essentials to plant growth, the other elements being nitrogen and potash."

The scientific bureaus of the Government have discovered and classified large areas of public lands underlain by phosphate rock, and the withdrawal act of June 25, 1910 (36 Stat., 847), confers upon the Executive ample authority for the protection of these lands until an adequate law for their disposal shall have been enacted. In both of these respects the situation as to potash and nitrogen differs from that as to phosphorus. Until very recently no important deposits of potash salts have been known in the United States, and no law exists to enable the Executive to adequately control the development of such deposits as they may become known.

Recent discoveries by Government scientists in the deserts of the Southwest indicate that in at least one locality potassium salts exist in important commercial quantities in the form of a natural brine. Further explorations are to be initiated at once, and it is hoped that they will result in the discovery of additional deposits whose utilization will inure to the great benefit of the agricultural industry of the United States and may reduce the necessity for continuing the present extensive importations. In the face of this discovery I am confronted by the fact that the laws at present upon our statute books for the disposal of minerals of this type existing upon public lands are inadequate for the protection of the public interests and that there exists no authority for withholding them from disposal until the Congress shall enact an appropriate law.

The greater part of the lands upon which the discoveries now known exist (and it is to be noted that these were made by the use of specific appropriations made by Congress for the purpose)

are as yet in public ownership, but may be acquired at any time under the placer mining law by private interests which will have contributed nothing to their discovery, but which can not under the existing law be effectively controlled in the disposition or development of the deposits. Similar results will follow future discoveries at Government expense.

The Secretary of the Interior in his last annual report has called my attention to the fact that the withdrawal act in its present form grants the Executive no authority to protect land valuable for their content of potash or nitrates, both of which should be developed in the public interest for the present and future agricultural needs of the Nation.

The act now reads:

That all lands withdrawn under the provisions of this act shall at all times be open to exploration, discovery, occupation, and purchase under the mining laws of the United States, so far as the same apply to minerals other than coal, oil, gas, and phosphates.

This omits both potash and nitrates from the protection of the law.

The Secretary's ideas of the amendment necessary to correct this condition are embodied in Senate bill 5679, introduced by Senator Smoot on March 8, 1912. The immediate enactment of this amendment or one of similar tenor will confer upon the Executive the authority necessary to protect these valuable deposits until such time as Congress may enact further legislation providing for their proper disposition. I urge that such action be taken immediately.

WM. H. TAFT.

THE WHITE HOUSE, March 26, 1912.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill and joint resolution:

H. R. 19342. An act to amend section 2455 of the Revised Statutes of the United States, relating to isolated tracts of public land; and

H. J. Res. 178. Joint resolution creating a commission to investigate and report on the advisability of the establishment of a permanent maneuvering grounds, camp of inspection, rifle and artillery ranges for troops of the United States, at or near the city of Anniston, county of Calhoun, State of Alabama, and to likewise report as to certain lands in and around the city of Anniston, county of Calhoun, State of Alabama, proposed to be donated to the United States for said purposes.

CHIPPEWA INDIANS OF MINNESOTA (H. DOC. NO. 645).

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent to have printed as a House document the report of the Secretary of the Interior and of the Commissioner of the General Land Office and House joint resolution 144, concerning the administration of the funds and property of the Chippewa Indians of Minnesota. There are 41 typewritten pages, relating entirely to these Indians and showing the amount of land sold, the amount of timber that has been disposed of, and the amount withdrawn.

Mr. MANN. Are these official documents?

Mr. STEPHENS of Texas. They are official documents. I ask that they be printed as a House document.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO WITHDRAW PAPERS.

By unanimous consent, at the request of Mr. HUGHES of Georgia, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of D. W. Massie (H. R. 5132), Fifty-third Congress, second session, no adverse report having been made thereon.

By unanimous consent, at the request of Mr. FOSTER, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of Jacob Hefler, Sixty-first Congress, no adverse report having been made thereon.

IMPRISONMENT FOR DESERTION OF SEAMEN.

By unanimous consent the Committee on Naval Affairs was discharged from further consideration of the bill (S. 5757) to abolish the penalty of imprisonment for desertion of seamen from vessels of the United States, and the same was referred to the Committee on the Merchant Marine and Fisheries.

ADJOURNMENT.

Mr. SULZER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, Wednesday, March 27, 1912, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. STEPHENS of Nebraska, from the Committee on Indian Affairs, to which was referred the bill (H. R. 21887) for the restoration of annuities to the Medawakanton and Wahpakota (Santee) Sioux Indians, declared forfeited by the act of February 16, 1863, reported the same with amendment, accompanied by a report (No. 444), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SULZER, from the Committee on Foreign Affairs, to which was referred the bill (H. R. 19239) authorizing an appropriation for the Interparliamentary Union for International Arbitration, reported the same without amendment, accompanied by a report (No. 445), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HARDY, from the Committee on the Territories, to which was referred the bill (S. 267) providing for assisting indigent persons, other than natives, in the District of Alaska, reported the same with amendment, accompanied by a report (No. 451), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MANN: A bill (H. R. 22330) to prevent cruelty to poultry while being transported from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia by any railroad company, car company, company operating steam, sailing, or other vessels, or the masters or owners of same, or express companies, or any common carrier engaged in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY of Washington: A bill (H. R. 22331) authorizing and directing the Secretary of the Interior to lease land for grazing purposes in Alaska and on the islands adjacent thereto and forming a part thereof; to the Committee on the Territories.

By Mr. SMITH of California: A bill (H. R. 22332) to reimburse the Southern Pacific Co. the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River; to the Committee on Appropriations.

By Mr. JOHNSON of Kentucky (by request): A bill (H. R. 22333) to require all street railroad companies in the District of Columbia to issue transfers from the lines of one company to those of another, and for other purposes; to the Committee on the District of Columbia.

By Mr. CARTER: A bill (H. R. 22334) providing for the final disposition of the affairs of the Five Civilized Tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. SULZER: A bill (H. R. 22335) to create a department of labor; to the Committee on Labor.

By Mr. SISSON (by request): A bill (H. R. 22336) to simplify procedure in the courts of the United States; to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: A bill (H. R. 22337) authorizing the Secretary of the Interior to cause allotments to be made to Indians belonging and having tribal rights on the Morongo Indian Reservation; to the Committee on Indian Affairs.

By Mr. AUSTIN: A bill (H. R. 22338) to provide for participation by the Government of the United States in the National Conservation Exposition to be held at Knoxville, Tenn., in the fall of 1913; to the Committee on Industrial Arts and Expositions.

By Mr. PEPPER: A bill (H. R. 22339) to regulate the method of directing the work of Government employees; to the Committee on the Judiciary.

By Mr. MANN: A bill (H. R. 22340) to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated seeds and seeds unfit for seeding purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KINKAID of Nebraska: A bill (H. R. 22341) to authorize the granting of patent after five years on homestead entries made under the reclamation act; to the Committee on Irrigation of Arid Lands.

By Mr. FOSTER: A bill (H. R. 22342) to create a commission on mining industry; to the Committee on Mines and Mining.

By Mr. ALEXANDER: A bill (H. R. 22343) to require supervising inspectors, Steamboat-Inspection Service, to submit their annual reports at the end of each fiscal year; to the Committee on the Merchant Marine and Fisheries.

By Mr. SMITH of New York: A bill (H. R. 22344) regulating the water from Niagara River above the Falls of Niagara, in the State of New York, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PROUTY: A bill (H. R. 22345) amending sections 4885, 4886, and 4898 of chapter 1, Title LX, of the Revised Statutes of the United States, 1878, limiting the use and transfer of patents; to the Committee on Patents.

By Mr. GREEN of Iowa: A bill (H. R. 22346) to authorize the acquisition of a site for a public building at Glenwood, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. HIENSLY: A bill (H. R. 22347) to provide for the building of good roads through the cooperation of the Federal Government, the States, and Territories, and the counties thereof; to the Committee on Agriculture.

By Mr. FULLER: A bill (H. R. 22348) to increase the limit of cost of public building at La Salle, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. WILSON of Pennsylvania: A bill (H. R. 22349) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. TOWNSEND: A bill (H. R. 22350) to amend sections 5, 11, and 25 of an act entitled "An act to amend and consolidate the acts respecting copyrights," approved March 4, 1909; to the Committee on Patents.

By Mr. MOON of Pennsylvania: A bill (H. R. 22351) to amend sections 5, 11, and 25 of an act entitled "An act to amend and consolidate the acts respecting copyrights," approved March 4, 1909; to the Committee on Patents.

By Mr. RAKER: A bill (H. R. 22352) to establish the Peter Lassen National Park, in the Sierra Nevada Mountains, in the State of California, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 22353) to set apart certain lands in the State of California as a public park, to be known as the Mount Shasta National Park, in the Sierra Nevada Mountains, in the State of California, and for other purposes; to the Committee on the Public Lands.

By Mr. WILSON of Pennsylvania: A bill (H. R. 22354) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. DAVIS of West Virginia: A bill (H. R. 22355) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. MORRISON: A bill (H. R. 22356) to amend section 55 of "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909; to the Committee on Patents.

By Mr. RODDENBERY: Resolution (H. Res. 461) amending the rules of the House; to the Committee on Rules.

By Mr. SMITH of New York: Memorial of the Senate of the State of New York, favoring the building by the United States Government of one of the battleships to be authorized by the Sixty-second Congress at the navy yard, Brooklyn, N. Y.; to the Committee on Naval Affairs.

By Mr. CONRY: Memorial of the Assembly of the State of New York, favoring the improvement of the inlet to Lake Champlain; to the Committee on Rivers and Harbors.

Also, memorial of the Senate of the State of New York, favoring the building by the United States Government of one of the battleships to be authorized by the Sixty-second Congress at the navy yard at Brooklyn, N. Y.; to the Committee on Naval Affairs.

By Mr. LEVY: Memorial of the Senate of the State of New York, favoring building one battleship at the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, memorial of the Legislature of the State of New York, favoring the improvement of the inlet of Lake Champlain; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER. A bill (H. R. 22357) granting an increase of pension to David N. Foster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22358) for the relief of John Benson; to the Committee on Military Affairs.

Also, a bill (H. R. 22359) to correct the military record of Benjamin Munkers; to the Committee on Military Affairs.

By Mr. ALLEN: A bill (H. R. 22360) for the relief of heirs of Hugh McGlincey; to the Committee on Claims.

By Mr. ANDERSON of Ohio: A bill (H. R. 22361) granting a pension to Mary McGregor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22362) granting an increase of pension to John Carley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22363) granting an increase of pension to Philip Winslow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22364) granting an increase of pension to Alexander R. Walters; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22365) granting an increase of pension to Elijah J. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22366) granting an increase of pension to Charles Wotters; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22367) granting an increase of pension to Hershell Ferrell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22368) granting an increase of pension to Salem Friend; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22369) granting an increase of pension to William J. Robey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22370) to remove the charge of desertion and grant an honorable discharge to Henry Lowmaster; to the Committee on Military Affairs.

By Mr. AUSTIN: A bill (H. R. 22371) for the relief of John T. Burchell; to the Committee on War Claims.

By Mr. BARTLETT: A bill (H. R. 22372) for the relief of the heirs of Thomas H. Morris, deceased; to the Committee on War Claims.

By Mr. BATHRICK: A bill (H. R. 22373) granting an increase of pension to Arthur A. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22374) granting an increase of pension to Warren H. Fishel; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 22375) granting an increase of pension to Felix G. Cobb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22376) for the relief of the heirs of Hiram Wilhite, deceased; to the Committee on War Claims.

By Mr. CANTRILL: A bill (H. R. 22377) to carry out the findings of the Court of Claims in the case of James H. Dennis; to the Committee on Claims.

By Mr. CARTER: A bill (H. R. 22378) granting an honorable discharge to Charles Woods, alias George Brown; to the Committee on Military Affairs.

By Mr. CATLIN: A bill (H. R. 22379) granting an increase of pension to Albert White; to the Committee on Invalid Pensions.

By Mr. CURRIER: A bill (H. R. 22380) granting an increase of pension to Horace Dow; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 22381) granting an increase of pension to Daniel C. Baswell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22382) granting an increase of pension to Martin Stephens; to the Committee on Invalid Pensions.

By Mr. DANIEL A. DRISCOLL: A bill (H. R. 22383) granting an increase of pension to William Nye; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22384) granting a pension to Mary B. Guillow; to the Committee on Invalid Pensions.

By Mr. FARR: A bill (H. R. 22385) granting an increase of pension to William Come; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22386) granting an increase of pension to John A. Lee; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 22387) granting an increase of pension to Louis G. Murray; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 22388) granting an increase of pension to Albert List; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 22389) granting a pension to Boaz Ford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22390) granting an increase of pension to Nimrod T. Stoner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22391) granting an increase of pension to James W. Porter; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 22392) granting an increase of pension to William E. Howlett; to the Committee on Invalid Pensions.

By Mr. GARRETT: A bill (H. R. 22393) for the relief of W. B. Booker; to the Committee on War Claims.

By Mr. HAMLIN: A bill (H. R. 22394) granting an increase of pension to John F. Mahnken; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22395) granting an increase of pension to John Echoff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22396) granting an increase of pension to John S. Solomon; to the Committee on Invalid Pensions.

By Mr. HARRIS: A bill (H. R. 22397) granting a pension to Thomas Corian; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22398) granting a pension to Darius E. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22399) granting a pension to Martha E. Bisbee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22400) granting an increase of pension to Edward W. Sargent; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22401) to remove the charge of desertion against John W. Curtis; to the Committee on Military Affairs.

Also, a bill (H. R. 22402) to remove the charge of desertion from the record of Sanford K. Knox; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 22403) granting a pension to Isabelle C. Woodward; to the Committee on Pensions.

By Mr. KENDALL: A bill (H. R. 22404) granting an increase of pension to Cicero Wingfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22405) granting an increase of pension to Margaret Jeffries; to the Committee on Invalid Pensions.

By Mr. KENNEDY: A bill (H. R. 22406) granting an increase of pension to Henry Cooper; to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 22407) granting a pension to Catherine Kenealy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22408) granting an increase of pension to John S. Gormerly; to the Committee on Invalid Pensions.

By Mr. KONOP: A bill (H. R. 22409) for the relief of John Dombroski; to the Committee on Indian Affairs.

By Mr. LA FOLLETTE: A bill (H. R. 22410) granting an increase of pension to Annie King; to the Committee on Invalid Pensions.

By Mr. LEE of Georgia: A bill (H. R. 22411) for the relief of heirs of Charles G. Knight, deceased; to the Committee on War Claims.

By Mr. LENROOT: A bill (H. R. 22412) granting an increase of pension to Robert W. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22413) for the relief of Hugh P. Strong; to the Committee on the Public Lands.

By Mr. LINDSAY: A bill (H. R. 22414) granting a pension to Thomas D. O'Shea; to the Committee on Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 22415) granting an increase of pension to Abraham Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22416) granting an increase of pension to Jesse Simmons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22417) granting an increase of pension to Lewis A. Martin; to the Committee on Invalid Pensions.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 22418) granting an increase of pension to George S. Stevens; to the Committee on Invalid Pensions.

By Mr. MARTIN of South Dakota: A bill (H. R. 22419) granting a pension to Alice M. Kniffin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22420) granting an increase of pension to Enoch Jones; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 22421) for the relief of Martha E. Terwilliger; to the Committee on Claims.

Also, a bill (H. R. 22422) granting a pension to Ella A. Plimpton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22423) granting an increase of pension to Margaret Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22424) granting an increase of pension to Philip O'Sullivan; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 22425) granting an increase of pension to David Cheney; to the Committee on Invalid Pensions.

By Mr. PATTON of Pennsylvania: A bill (H. R. 22426) granting an increase of pension to Jesse L. Viets; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 22427) granting a pension to Amanda Lore Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22428) granting an increase of pension to James Giddy; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 22429) granting a pension to Silas G. Burkett; to the Committee on Pensions.

Also, a bill (H. R. 22430) granting an increase of pension to J. P. Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22431) granting an increase of pension to Jonathan Kelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22432) granting an increase of pension to Rupert S. Rives; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22433) granting an increase of pension to Andrew York; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22434) for the relief of Mary Moles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22435) for the relief of C. C. Logan; to the Committee on War Claims.

Also, a bill (H. R. 22436) for the relief of J. M. Monday; to the Committee on War Claims.

By Mr. RAKER: A bill (H. R. 22437) for the relief of A. W. Toreson, son and heir of Anna M. Toreson, deceased; to the Committee on the Public Lands.

By Mr. REILLY: A bill (H. R. 22438) to remove the charge of desertion from the military record of James Lacey; to the Committee on Military Affairs.

By Mr. RUSSELL: A bill (H. R. 22439) granting an increase of pension to James A. Trail; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 22440) granting a pension to John W. Kelley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22441) granting a pension to W. A. Carmichael; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22442) granting a pension to Samuel W. Cowden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22443) granting a pension to Ulysses Drinnon; to the Committee on Pensions.

By Mr. SMITH of New York: A bill (H. R. 22444) granting an increase of pension to William W. McCumber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22445) granting an increase of pension to James Hawkins; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 22446) granting a pension to Lavinia Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22447) granting a pension to Mary S. Ryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22448) granting a pension to Marvin E. Brandon; to the Committee on Pensions.

By Mr. SPEER: A bill (H. R. 22449) granting an increase of pension to James Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22450) granting an increase of pension to Richard Barlow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22451) granting an increase of pension to Jesse M. Manson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22452) granting an increase of pension to John A. Reehler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22453) granting an increase of pension to Alexander C. Kellam; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 22454) for the relief of Samuel T. Baker; to the Committee on Military Affairs.

By Mr. STERLING: A bill (H. R. 22455) granting a pension to Milo M. Miller; to the Committee on Pensions.

Also, a bill (H. R. 22456) granting a pension to Lois A. Hastings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22457) granting an increase of pension to James S. Doolittle; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 22458) to correct the military record of Allen Fenton; to the Committee on Military Affairs.

Also, a bill (H. R. 22459) to remove the charge of desertion from the military record of Peter Scott; to the Committee on Military Affairs.

By Mr. THISTLEWOOD: A bill (H. R. 22460) granting an increase of pension to Perry Hess; to the Committee on Invalid Pensions.

By Mr. TUTTLE: A bill (H. R. 22461) granting an increase of pension to James McClary; to the Committee on Invalid Pensions.

By Mr. WEDEMEYER: A bill (H. R. 22462) granting an increase of pension to R. W. Tuffs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22463) for the relief of Mrs. P. E. Brewer; to the Committee on War Claims.

By Mr. WILLIS: A bill (H. R. 22464) granting an increase of pension to George W. Williams; to the Committee on Invalid Pensions.

By Mr. YOUNG of Kansas: A bill (H. R. 22465) granting an increase of pension to Daniel C. Joslyn; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AKIN of New York: Petition of citizens of the towns of Glen, Charleston, and Root, N. Y., opposing change in the oleomargarine law; to the Committee on Agriculture.

By Mr. ALEXANDER: Papers to accompany bills for the relief of John Benson and Benjamin Munkers; to the Committee on Military Affairs.

Also, papers to accompany bill for the relief of David N. Foster; to the Committee on Invalid Pensions.

By Mr. ALLEN: Petition of Edward Cors and other residents of Cincinnati, urging passage of Lever oleomargarine bill; to the Committee on Agriculture.

By Mr. ANDERSON of Minnesota: Petition of K. D. Olson and 15 others, of Harmony, Minn., against extension of the parcel-post service; to the Committee on the Post Office and Post Roads.

By Mr. ANDERSON of Ohio: Memorial of Los Angeles Chamber of Commerce, indorsing legislation recommended by President Taft in his message to the Congress December 6, 1911, in reference to Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Cincinnati Master Plumbers' Association, favoring 1-cent rate of letter postage; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Petition of William Coffman & Son and 9 other merchants of Warsaw, Ohio, asking that the Interstate Commerce Commission be given power to regulate express companies; to the Committee on Interstate and Foreign Commerce.

Also, petition of John Cunningham and 10 other citizens of Newark, Ohio, protesting against the enactment of any legislation for the prohibition of the interstate commerce of liquors; to the Committee on the Judiciary.

Also, memorial of Brownsville Banner Grange, No. 1738, of Glenford, Ohio, asking for the enactment of the proposed parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, papers in evidence to accompany the special bill (H. R. 22270) for the relief of Caroline L. Loftus; to the Committee on Invalid Pensions.

By Mr. BARTLETT: Petition of J. M. Blount and other citizens of Macon, Ga., for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of the Chamber of Commerce of Savannah, Ga., for enactment of House bill 20044, for improvement of the Consular and Diplomatic Service of the United States; to the Committee on Foreign Affairs.

Also, papers to accompany bill for the relief of Thomas H. Morris, deceased; to the Committee on War Claims.

By Mr. BOWMAN: Petitions of Granges Nos. 291, 398, 1026, and 587, Patrons of Husbandry, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

Also, petitions of citizens of the State of Pennsylvania, for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petitions of Lodge No. 154, Brotherhood of Railroad Trainmen, and H. E. Wills, joint legislative representative, Brotherhood of Locomotive Engineers, Order of Railroad Conductors, and Brotherhood of Railroad Trainmen, for enactment of Senate bill 5382 and House bill 20487; to the Committee on the Judiciary.

Also, memorial of Los Angeles (Cal.) Chamber of Commerce, relative to Panama Canal tolls; to the Committee on Interstate and Foreign Commerce.

Also, petition of Joseph Kaliski, of Wilkes-Barre, Pa., for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

Also, petition of Erasmus Haworth, of Lawrence, Kans., for passage of House bill 6304; to the Committee on Mines and Mining.

Also, petition of Machinery & Supply Co., of Hazleton, Pa., against enactment of House bill 16844; to the Committee on Interstate and Foreign Commerce.

By Mr. BULKLEY: Memorial of the Cleveland Live Stock Association, urging the reduction of the tax on oleomargarine; to the Committee on Agriculture.

By Mr. BURKE of South Dakota: Memorial of Boaz Grange, No. 45, Columbia, Brown County, S. Dak., favoring the speedy passage of the Kenyon-Sheppard interstate liquor bills (S. 4043 and H. R. 16214); to the Committee on the Judiciary.

Also, petition of the Deadwood (S. Dak.) Business Club, for a rate of 1 cent on letters; to the Committee on the Post Office and Post Roads.

By Mr. BYRNS of Tennessee: Papers to accompany bill for increase of pension to Felix G. Cobb; to the Committee on Invalid Pensions.

By Mr. CONRY: Memorial of the Maritime Exchange of New York City, indorsing the action of Congress with respect to the battleship *Maine*; to the Committee on Naval Affairs.

Also, petition of Naval Camp, No. 49, United States War Veterans, for enactment of House bill 17470; to the Committee on Pensions.

By Mr. CURRIER: Petitions of the Woman's Christian Temperance Union and Young People's Society of Christian Endeavor of the Baptist Church of Peterboro, N. H., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. DE FOREST: Petition of J. M. Sweet and about 60 other members of Local Union No. 83, Sheet Metal Workers, Albany, N. Y., favoring the insertion in the naval appropriation bill of a clause providing that one battleship be built in a Government navy yard; to the Committee on Naval Affairs.

By Mr. DANFORTH: Petition of Business Men's Association of Elmira, N. Y., favoring the passage of House bill 17736, providing for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. DAVENPORT: Papers to accompany bill for the relief of Daniel C. Boswell; to the Committee on Invalid Pensions.

Also, petition of citizens of the State of Oklahoma, for enactment of the Berger old-age pension bill; to the Committee on Pensions.

By Mr. DANIEL A. DRISCOLL: Memorial of the Catholic Arbeiter Verein St. Anna, Buffalo, N. Y., protesting against the resolution of inquiry concerning Government institutions in which American citizens wearing the habit of various religious orders are employed; to the Committee on Indian Affairs.

Also, petition of T. F. O'Connor and other citizens of Buffalo, favoring Senate bill 3953 and House bill 16313, to build an Indian memorial museum and building in Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, memorial of the International Reform Bureau of Washington, D. C., setting out 10 measures esteemed as most important to morals and public health to be supported at this session of Congress; to the Committee on the Judiciary.

Also, petitions of William Kerwin, of Holy Angels Hall, Buffalo, N. Y., and Thaddeus Pantera, of Unique Theater, Buffalo, N. Y., favoring amendment to copyright act of 1909, known as House bill 20595; to the Committee on Patents.

By Mr. FARR: Petition of William W. Wright and 40 others, of Lackawanna County, Pa., relating to the construction of a battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petitions of the Woman's Christian Temperance Union of Fleetville, and official board of the Methodist Church of Peckville, Pa., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petitions of Granges Nos. 1027 and 1295, Patrons of Husbandry, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

Also, petition of Local Union, No. 637, United Mine Workers of America, of Scranton, Pa., relating to amendments of injunction laws; to the Committee on the Judiciary.

By Mr. FOCHT: Petitions of Turbett Grange, No. 781, Patrons of Husbandry, Juniata County, Pa.; Fondie Grange, No. 1318, Clearfield County, Pa.; and Trough Creek Grange, No. 444, Huntingdon County, Pa., favoring a system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. FORNES: Memorial of the International Reform Bureau, of Washington, D. C., setting out 10 matters of pending legislation most worthy of consideration as bearing on the public health and public morals; to the Committee on the Judiciary.

Also, memorial of the American Anti-Trust League, of Washington, D. C., favoring the bill of Hon. R. E. Lee of Pennsylvania to extend the Federal arbitration act to the coal industry and all employees of all interstate commerce transportation lines, including telegraph and telephone lines; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Los Angeles Chamber of Commerce, favoring the making of the Panama Canal toll-free to all coastwise trading ships carrying the United States flag, and also forbidding transcontinental railways from operating, owning, or controlling ships engaged in traffic through the said canal; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the board of directors of the Maritime Association of the Port of New York, favoring House bill 24145, for the establishment of marine schools, etc.; to the Committee on Appropriations.

Also, memorial of the Business Men's Association of Elmira, N. Y., favoring 1-cent letter postage and House bill 17736; to the Committee on the Post Office and Post Roads.

Also, memorial of Central Foundry Co., of New York, favoring House bill 16844; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Memorial of the Congregational Club of Chicago, for return of the amount of the Ellen M. Stone ransom to the contributors; to the Committee on Claims.

Also, petition of William McKinley Camp, No. 12, Department of Illinois, United Spanish War Veterans, urging passage of House bill 17470; to the Committee on Pensions.

By Mr. FOSTER: Petitions of A. H. Harlow and other members of the Improved Order of Red Men living at Mount Vernon, Ill., and of C. Z. Meffert and other members of that order living at Mount Vernon, Ill., favoring Senate bill 3953 and House bill 16313; to the Committee on Public Buildings and Grounds.

Also, petition of citizens of Allendale, Ill., favoring parcel post; to the Committee on the Post Office and Post Roads.

By Mr. FRANCIS: Petition of citizens of Belmont County, Ohio, favoring the passage of the Kenyon-Sheppard interstate-commerce liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of Ohio, in favor of building one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of the Woman's Christian Temperance Union of Beallsville, Ohio, for the passage of the Kenyon-Sheppard bill; to the Committee on the Judiciary.

Also, petition of sundry citizens of Ohio, favoring parcel-post bill (H. R. 14); to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Papers to accompany bill for the relief of William E. Howlett; to the Committee on Invalid Pensions.

Also, petition of Hibbard, Spencer, Bartlett & Co., of Chicago, Ill., in opposition to the passage of the Campbell bill (H. R. 16844), relating to stamping of manufacturer's name on manufactured article, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Mazon, Ill., against repeal of the anticeanteen law; to the Committee on Military Affairs.

Also, petition of Methodist Episcopal Church and of the Woman's Christian Temperance Union of Norman Township, Grundy County, Ill., in favor of the passage of the Kenyon-Sheppard bills (S. 4043 and H. R. 16214); to the Committee on the Judiciary.

Also, petitions of Clarence E. Morton, of Leland, Ill.; H. T. and N. Lauterbach, of Earlville, Ill.; George W. Holly, of Peru, Ill.; John Schrotberger, of Gardner, Ill.; and Frank Gantzert, of Dwight, Ill., all in favor of a parcel post; to the Committee on the Post Office and Post Roads.

Also, papers to accompany bill for the relief of Clarence McBratney (H. R. 5725); to the Committee on Invalid Pensions.

By Mr. GARRETT: Papers to accompany bill for the relief of Wade H. Pyle (H. R. 20859); to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: Petition of citizens of Panora, Iowa, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. GRIEST: Petition of the Leacock Presbyterian Congregation, of Leaman Place, Pa., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the board of directors of the Philadelphia Chamber of Commerce, for continuance of a nonpartisan tariff commission; to the Committee on Ways and Means.

Also, memorial of members of Company K, Tenth Regiment Pennsylvania Volunteer Infantry, favoring the enactment into law of House bill 18502; to the Committee on Military Affairs.

By Mr. HAMMOND: Petition of John Frederickson and 21 others, of Lakefield, Minn., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. HANNA: Petition of citizens of Wilton, N. Dak., urging the investigation by Congress of the alleged Coal Trust or combination, as requested by the city council of Two Harbors, Minn.; to the Committee on Rules.

Also, petition of J. G. Josen, of Melly, N. Dak., favoring reduction of tax on sugar; to the Committee on Ways and Means.

Also, petition of Mrs. G. E. Cox, of Williston, N. Dak., and sundry other citizens of that place and Spring Brook, N. Dak., and vicinity, favoring Sulzer parcel-post bill (H. R. 14); to the Committee on the Post Office and Post Roads.

Also, memorial of North Dakota Retail Hardware Association, Grand Forks, N. Dak., and petition of F. H. Stokes and 14 others, opposing parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, memorial of Beardstown Chamber of Commerce Association, Beardstown, Cass County, Ill., protesting against the granting of any permit to increase the flow of waters of Lake

Michigan through Illinois River until the lower reach of said river is properly prepared to receive the same without damage to the lands of the valley, etc.; to the Committee on Rivers and Harbors.

Also, petition of sundry citizens of Fairmount, N. Dak., for passage of the Kenyon-Sheppard interstate liquor shipment bill; to the Committee on the Judiciary.

By Mr. HARTMAN: Memorial of Bald Hill Grange, No. 1397, Patrons of Husbandry, Snake Spring, Bedford County, Pa., favoring parcel post; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYDEN: Petition of the Woman's Christian Temperance Union of Winslow, Ariz., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of Bisbee, Ariz., protesting against enactment of House bill 17485; to the Committee on the Public Lands.

By Mr. HEALD: Petition of the Christian Endeavor Society of Delaware, protesting against interstate shipment of liquor; to the Committee on the Judiciary.

By Mr. HOWELL: Petition of Home Culture Club, of Ogden, Utah, for passage of the Kenyon-Sheppard bill; to the Committee on the Judiciary.

Also, petition of John R. Baxter, manager opera house, Spring City, Utah, favoring amending the copyright act of 1909; to the Committee on Patents.

Also, petition of citizens of Pleasant Grove, Utah, protesting against a parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of W. H. Swanson, manager Rex Theater, Salt Lake City, Utah, favoring amendment of the copyright act of 1909; to the Committee on Patents.

Also, petition of Congregation of Montefiore, against the Dillingham bill requiring an educational test of immigrants; to the Committee on Immigration and Naturalization.

By Mr. HUMPHREY of Washington: Petition of citizens of Kingston, Wash., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Bremerton, Wash., for passage of the Berger old-age pension bill; to the Committee on Pensions.

By Mr. KAHN: Papers to accompany a bill granting a pension to Isabelle C. Woodward; to the Committee on Pensions.

By Mr. KINKEAD of New Jersey: Petition of the Fish and Game Commissioners of the State of New Jersey, for legislation affording protection to migratory game birds; to the Committee on Agriculture.

By Mr. KNOWLAND: Petition of members of First Congregational Church, Berkeley, Cal., favoring the passage of House bill 16214; to the Committee on the Judiciary.

By Mr. KOPP: Petition of Joseph Frost and sundry other citizens of Avoca, Wis., opposing parcel-post legislation and extension; to the Committee on the Post Office and Post Roads.

By Mr. LA FOLLETTE: Petitions of citizens of Barry, Okanogan, Little Falls, Benge, Lantz, and Wauconda, all in the State of Washington, urging the adoption of the Sulzer parcel-post bill; to the Committee on the Post Office and Post Roads.

Also, petition of members of the Improved Order of Red Men, Ellensburg, Wash., urging the erection of an American Indian memorial and museum building in Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of A. D. Cress, secretary of the Washington State Farmers' Educational and Cooperative Union, and sundry members of that organization in Washington and Idaho, urging passage of Sulzer parcel-post bill and law to prohibit gambling in futures on farm products; to the Committee on Agriculture.

Also, petitions of several hundred citizens of Spokane and Clarkston, Wash., urging the passage of the Kenyon-Sheppard bill; to the Committee on the Judiciary.

Also, memorial of L. C. Crow, C. W. Cotton, Almer McCurtain, H. J. Herman, W. B. Davis, and Philip W. Cox, composing the executive board of the Washington State Farmers' Union, urging abolishment of free seed distribution; to the Committee on Agriculture.

Also, petition of James R. Morford, secretary, and other members of the Spokane Sectional Central Labor Council, Spokane, Wash., urging the amendment of the naval appropriation bill to provide for the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of sundry citizens of Spokane, Wash., protesting against the passage of the Johnston Sunday bill for the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of the Congregational Brotherhood of North Yakima, Wash., urging Federal aid for agricultural-extension work; to the Committee on Agriculture.

Also, memorial of A. C. Long, G. L. Thompson, and J. S. Ballantyne, for Civic Club of Vera, Wash., urging the adoption of parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, memorial of Bee Hive Grange, No. 385, Wenatchee, Wash., urging the adoption of a parcel post; to the Committee on the Post Office and Post Roads.

By Mr. LEVY: Memorial of Naval Camp, No. 49, United Spanish War Veterans, Brooklyn, N. Y., favoring Crago pension bill (H. R. 17470); to the Committee on Pensions.

Also, memorial of the Los Angeles Chamber of Commerce, favoring free tolls to United States vessels trading coastwise through the Panama Canal and the nonpermitting transcontinental railroads to own, control, or operate vessels through said canal; to the Committee on Interstate and Foreign Commerce.

Also, memorial of chestnut tree bark disease conference, Harrisburg, Pa., making recommendations in regard to same; to the Committee on Agriculture.

Also, memorial of the Chamber of Commerce of the State of New York, urging that the tolls on traffic through the Panama Canal be made so as to carefully protect American interests, etc.; to the Committee on Interstate and Foreign Commerce.

Also, memorial of board of trustees of Hamilton Chamber of Commerce, favoring appropriation for the entertainment of foreign delegates; to the Committee on Foreign Affairs.

Also, memorial of board of directors of the Maritime Association of the port of New York, favoring a bill to establish a marine school; to the Committee on Naval Affairs.

Also, memorial of Business Men's Association of Elmira, N. Y., favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, memorial of Brooklyn League, Brooklyn, N. Y., favoring the building of one battleship at the Brooklyn Navy Yard; to the Committee on Naval Affairs.

By Mr. LINDSAY: Memorial of the Twenty-eighth Ward Taxpayers' Protective Association, urging Congress to make appropriation for building two battleships, and that it be provided that one at least be built at the Brooklyn Navy Yard; to the Committee on Naval Affairs.

By Mr. LOBECK: Memorial of citizens of Washington, D. C., for the protection of public health against the bovine source of human tuberculosis and for the conservation of food-producing animals; to the Committee on Agriculture.

Also, petitions of 385 farmers of Western and Southwestern States, for extended parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of 15 citizens of Omaha, Nebr., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Petition of Charles Alstrom and 16 other residents of Spruce, Mich., favoring parcel post; to the Committee on the Post Office and Post Roads.

By Mr. MCCOY: Petitions of labor organizations, for enactment of House bill 11032, relative to the issuance of injunctions; to the Committee on the Judiciary.

Also, petitions of citizens of the State of New Jersey and New York City, for passage of the Esch phosphorus bill; to the Committee on Ways and Means.

Also, petition of Central Methodist Episcopal Church, of Bridgeton, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. McGILLICUDDY: Petition of citizens of Lewiston, Me., urging the passage of bills providing for erection of American Indian memorial and museum building in city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Norway, Me., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. MCHENRY: Petitions of Northumberland Grange, No. 218, Patrons of Husbandry, Northumberland, Pa., and Rohrsburg Grange, No. 108, Patrons of Husbandry, Rohrsburg, Pa., in favor of parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MCKINNEY: Petition of members of Methodist Episcopal Church of Aledo, Mercer County, Ill., favoring passage of Kenyon-Sheppard liquor-shipment bill; to the Committee on the Judiciary.

By Mr. MAGUIRE of Nebraska: Petitions of J. G. Brown and other farmers and dairymen of Lincoln, Nebr., and W. K. Young and other farmers and dairymen, opposing the Lever oleomargarine bill; to the Committee on Agriculture.

By Mr. MARTIN of South Dakota: Petition of citizens of Hermosa, S. Dak., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Bonesteel, S. Dak., for enactment of the Haugen oleomargarine bill; to the Committee on Agriculture.

Also, petitions of the Woman's Christian Temperance Union of Hot Springs, S. Dak., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. MOTT: Resolution of Louis W. Carlisle Camp, No. 56, United Spanish War Veterans, favoring the passage of the Crago pension bill; to the Committee on Pensions.

Also, memorial of the Maritime Association of New York City, favoring the passage of House bill 24145; to the Committee on Appropriations.

Also, memorial of the Business Men's Association of Elmira, N. Y., in favor of 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of 80 members of Adams Center Grange, in Jefferson County, N. Y., against Lever bill; to the Committee on Agriculture.

Also, petition of Turin (N. Y.) Grange, in favor of parcel post; to the Committee on the Post Office and Post Roads.

Also, memorial of Rochester (N. Y.) Chamber of Commerce, favoring House bill 17936, regarding standard weight measures, etc.; to the Committee on Coinage, Weights, and Measures.

By Mr. MURDOCK: Petitions of churches and citizens of Wichita, Mount Hope, Newton, Meade, Halstead, Burton, and Walton, Kans., in favor of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petitions of citizens of Fort Pierre, S. Dak., and Meyers Falls, Wash., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, Petitions of citizens of Wichita, Clearwater, Kiowa, Viola, Mulvane, Augusta, Douglass, Haverhill, and Newton, Kans., opposing parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, Petitions of citizens and churches of Wichita, Kans., opposing repeal of the anticanteen law; to the Committee on Military Affairs.

Also, memorial of Seventh-day Adventist Church of Wichita, Kans., opposing House bill 9433; to the Committee on the Post Office and Post Roads.

By Mr. O'SHAUNESSY: Petition of Eugene H. Williams, of Providence, R. I., asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, petition of citizens of Providence, R. I., for enactment of House bill 18000, to regulate the importation and interstate transportation of nursery stock, etc.; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Boston Fruit and Produce Exchange, for enactment of House bill 19795; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of first congressional district of Rhode Island, protesting against House bill 16344; to the Committee on Interstate and Foreign Commerce.

Also, petitions of citizens of Providence, R. I., for construction of a Lincoln memorial road from Washington to Gettysburg; to the Committee on the Library.

Also, petitions of citizens of Providence, and the Central Labor Union of Pawtucket, R. I., for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of a labor organization of Pawtucket, R. I., against employment of retired naval men in navy yards; to the Committee on Naval Affairs.

Also, memorial of the Washington County (R. I.) Pomona Grange, for enactment of the Lever agricultural bill; to the Committee on Agriculture.

Also, memorial of Laurel Grange, No. 40, Patrons of Husbandry, against reducing tax on oleomargarine, etc.; to the Committee on Agriculture.

Also, petition of citizens of North Smithfield, R. I., for passage of House bill 16214; to the Committee on the Judiciary.

Also, petition of the Rhode Island Woman's Suffrage Association, for a constitutional amendment granting women the right of suffrage; to the Committee on the Judiciary.

Also, memorial of the Rhode Island Business Men's Association, in favor of an international commission to investigate the cost of living; to the Committee on Foreign Affairs.

Also, memorial of the Rhode Island Business Men's Association, for enactment of House bill 17936; to the Committee on Coinage, Weights, and Measures.

Also, memorial of Laurel Grange, No. 40, Patrons of Husbandry, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of Order of Owls, Nest No. 6, Providence, R. I., for use of 1,000 acres of public land for a certain purpose; to the Committee on the Public Lands.

Also, petition of the Central Trades and Labor Union of Pawtucket, R. I., for enactment of House bill 5970; to the Committee on Reform in the Civil Service.

Also, petition of Louise Hall, of Providence, R. I., urging appropriation to enforce the white-slave traffic act; to the Committee on Appropriations.

By Mr. PADGETT: Papers to accompany bill for the relief of David Cheney; to the Committee on Invalid Pensions.

By Mr. PARRAN: Papers to accompany bill for the relief of Lillie Garner (H. R. 19765); to the Committee on Pensions.

By Mr. PATTON of Pennsylvania: Memorial of Mountain Grange, No. 1307, Kane, Pa., favoring a parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of Big Level Grange, No. 1376, Patrons of Husbandry, relating to the manufacture and sale of oleomargarine; to the Committee on Agriculture.

Also, memorial of Mountain Grange, No. 1307, Patrons of Husbandry, Kane, Pa., favoring strict regulation of the manufacture and sale of oleomargarine; to the Committee on Agriculture.

Also, petition of citizens of the State of Pennsylvania, favoring the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petitions of Logan Grange, No. 109, Patrons of Husbandry, of Center County, Pa.; Big Level Grange, No. 1376, Patrons of Husbandry, of Mount Jewett, Pa.; Liberty Grange, No. 1182, Patrons of Husbandry, McKean County, Pa.; Goshen Grange, No. 623, Patrons of Husbandry, Clearfield County, Pa., favoring a system of postal express; to the Committee on Interstate and Foreign Commerce.

Also, petition of Du Bois Grange, No. 808, Patrons of Husbandry, of Clearfield County, Pa., favoring a system of postal express; to the Committee on Interstate and Foreign Commerce.

Also, petition of Penfield Grange, No. 1240, Patrons of Husbandry, favoring a system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. POST: Petition of citizens of Williamsport, Ohio, protesting against parcel post until a competent commission is appointed to investigate the question thoroughly; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Jeffersonville, Ohio, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Papers to accompany House bill 19460; to the Committee on Invalid Pensions.

By Mr. REILLY: Petition of Westbrook (Conn.) Grange, No. 123, asking for an adequate parcel post; to the Committee on the Post Office and Post Roads.

Also, memorials of Indian River Grange, No. 73, Patrons of Husbandry, Milford, Conn.; Hillstown Grange, No. 87, Glastonbury, Conn.; Central Pomona Grange, No. 1, Plainville, Conn.; Haddam Neck Grange, No. 177, East Hampton, Conn., indorsing Sulzer's parcel-post bill and asking its speedy adoption; to the Committee on the Post Office and Post Roads.

Also, memorial of the State Board of Education of the State of Connecticut, opposing the proposed bill "To cooperate with the States in encouraging instruction of agriculture, the trades and industries, and home economies in secondary schools"; to the Committee on Agriculture.

Also, memorial of the Woman's Christian Temperance Union, Clinton, Conn., Annie S. Wilcox, corresponding secretary, favoring the speedy passage of the Kenyon-Sheppard interstate liquor-shipment bill; to the Committee on the Judiciary.

Also, memorial of Rock Rimmon Grange, No. 142, Patrons of Husbandry, Beacon Falls, Conn.; Plainville Grange, No. 54, Patrons of Husbandry, Plainville, Conn.; Enfield Grange, No. 151, Enfield, Conn.; Mad River Grange, No. 71, Waterbury, Conn.; W. A. Simpson and 9 others, of Wallingford Grange, No. 33; Frank A. Jordan and 5 other rural free-delivery patrons, of Quinebaug, Conn., asking speedy passage of a general parcel-post law; to the Committee on the Post Office and Post Roads.

Also, memorial of Harwinton Grange, No. 45, Patrons of Husbandry, Torrington, Conn., opposing change in oleomargarine law and favoring parcel post; to the Committee on Agriculture.

Also, petition of William D. Holt and 23 other members of Polishers and Buffers' Union, citizens of New Haven, Conn., advocating the insertion in the naval appropriation bill of a clause providing that one battleship shall be built at a United States navy yard; to the Committee on Naval Affairs.

By Mr. RICHARDSON: Petitions of citizens of the State of Alabama, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Ellwood, Ala., protesting against enactment of Senate bill 237; to the Committee on the District of Columbia.

By Mr. SHERLEY: Petitions of citizens of the State of Kentucky, for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of members of Improved Order of Red Men, for an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of citizens of the fifth congressional district of Kentucky, for enactment of House bill 16450; to the Committee on the Judiciary.

By Mr. SIMMONS: Memorial of the Chamber of Commerce of Buffalo, N. Y., favoring entire elimination of duty on patterns which are used only for export orders; to the Committee on Ways and Means.

By Mr. SAMUEL W. SMITH: Petition of many voters of Lansing, Mich., and petition from voters of Mason, Ingham County, Mich., asking support for the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of Mason, Mich., favoring passage of parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of New York: Memorial of the Woman's Christian Temperance Union of East Aurora, N. Y., favoring the passage of the Kenyon-Sheppard liquor-shipping bill; to the Committee on the Judiciary.

Also, memorial of Pomona Grange, No. 33, Erie County, N. Y., opposing reduction of tax on oleomargarine; to the Committee on Agriculture.

Also, petition of Holland Grange, No. 1023, Holland, N. Y., opposing the Lever oleomargarine bill, and urging that no oleomargarine be allowed to be made in imitation of butter; to the Committee on Agriculture.

Also, petition of vessel men and steamship managers of Buffalo, N. Y., in support of the Howland bills (H. R. 19405, 19406, 19407); to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Buffalo (N. Y.) Chamber of Commerce, favoring the passage of an act, by Mr. Sulzer, to improve the foreign service; to the Committee on Foreign Affairs.

Also, memorial of the Chamber of Commerce of New York and the board of directors of the Maritime Association of the Port of New York, favoring the passage of House bill 24145, for the establishment of marine schools, and for other purposes; to the Committee on Naval Affairs.

Also, memorial of the national executive committee of the American Antitrust League, favoring the bill of Mr. Lee of Pennsylvania to extend the Federal arbitration act to the coal industry of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. SPARKMAN: Petition of churches of Bradenton, Fla., for passage of an effective interstate liquor law; to the Committee on the Judiciary.

Also, memorial of Tampa (Fla.) Retail Dealers' Association, for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of Estero and Palm Sola, Fla., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the State of Florida, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the first congressional district of Florida, for regulation of express rates and classifications; to the Committee on Interstate and Foreign Commerce.

Also, petitions of citizens of the State of Florida, for passage of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

By Mr. STEPHENS of California: Petition of citizens of Los Angeles, Cal., for the speedy passage of the Kenyon-Sheppard bill; to the Committee on the Judiciary.

Also, petition of citizens of the State of California, in favor of building one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, memorial of Pacific States Wireless Association, protesting against the Alexander bill placing a high-license tax on private wireless stations; to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Roy W. McQuiston, manager of Rex Theater, Azusa, Cal.; Clunes Theaters, Clune Amusement Co., Los Angeles, Cal.; Clarence G. Reggs, Adolphus Theater, Los Angeles, Cal.; U. H. Alston, Pickwick Theater, Longbeach, Cal.; and

A. J. W. Ross, Wonderland Theater, Los Angeles, Cal., favoring House bill 20595, to amend the copyright act of 1909; to the Committee on Patents.

By Mr. STEPHENS of Texas: Petition of W. C. Stephens, of Amarillo, Tex., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. STERLING: Petition of citizens of Le Roy, Ill., for enactment of House bill 16819, providing for free delivery of mail in small towns and cities; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Memorial of the International Reform Bureau, of Washington, D. C., designating as bills regarded as most important from the standpoint of public health and public morals: First, Kenyon-Sheppard bills (S. 4043 and H. R. 16214); second, Sims-Lea bill (H. R. 1620); third, Walter I. Smith bill, introduced in last Congress, against exhibition of prize-fight pictures; fourth, McCumber bill (S. 2310); fifth, bills regulating liquor traffic in the District of Columbia; sixth, no appropriation for any soldiers' home that maintains a bar; \$75,000 appropriation to enforce white-slave law; seventh, Iowa law suppressing brothels by injunction; eighth, Johnston Sunday bill for the District of Columbia; ninth, opium bills pending in House and Senate; tenth, reforms of judicial procedure; to the Committee on the Judiciary.

Also, memorial of board of managers of Seamen's Church of New York, favoring the passage of Senate bill 2117 now before the House of Representatives; to the Committee on Interstate and Foreign Commerce.

Also, petition of members of Cigar Makers' Joint Unions of Greater New York, favoring passage of the Reilly bill (H. R. 17253); to the Committee on Ways and Means.

By Mr. THISTLEWOOD: Petition of citizens of Grand Chain, Ill., favoring parcel post, restriction of immigration, and prohibition of gambling in farm products; to the Committee on the Post Office and Post Roads.

Also, petition of the citizens of Murphysboro, Ill., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Grand Chain, Ill., favoring the Webb-Callaway bill, relating to bureau of markets (H. R. 19069 and 19132); to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Chester, Ill., against parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of twenty-fifth district of Illinois, favoring the building of one battleship in Government navy yard; to the Committee on Naval Affairs.

Also, petition of citizens of Chester, Randolph County, Ill., favoring the passage of House bill 16819, for experimental establishment of town mail-delivery system; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Dongola, Ill., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. TILSON: Petition of Hillstown Grange, No. 87, Glastonbury, Conn., favoring a general parcel-post bill; to the Committee on the Post Office and Post Roads.

Also, petition of East Windsor (Conn.) Grange, No. 94, Patrons of Husbandry, favoring a parcel post; to the Committee on the Post Office and Post Roads.

By Mr. TUTTLE: Petition of Second Presbyterian Church, of Belvidere, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. UTTER: Petitions of the Swedish Congregational Church of East Greenwich, R. I., and the Methodist Episcopal Church of Washington, R. I., for enactment of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the Rhode Island Business Men's Association, for the creation of an international commission to investigate the cost of living; to the Committee on Foreign Affairs.

Also, petition of the Rhode Island Business Men's Association, for enactment of House bill 17936; to the Committee on Coinage, Weights, and Measures.

By Mr. VREELAND: Petitions of Central Labor Council and Iron Molders' Union, Local No. 90, of Dunkirk, N. Y., for building one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of the Free Methodist Church of Rushford, N. Y., in favor of House bill 16214; to the Committee on the Judiciary.

By Mr. WEDEMEYER: Papers to accompany bill for the relief of R. W. Tuff; to the Committee on Invalid Pensions.

By Mr. WHITE: Petition of citizens of Roseville, Ohio, for regulation of express rates and classifications; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Roseville, Ohio, protesting against further extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. WICKLIFFE: Papers to accompany bill for the relief of estate of Sebastian U. D. Schlatre, deceased; to the Committee on War Claims.

By Mr. YOUNG of Kansas: Petition of citizens of Wallace County, Kans., asking for the enactment of a general parcel-post law; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Russell, Kans., protesting against the enactment of a parcel-post law; to the Committee on the Post Office and Post Roads.

SENATE.

WEDNESDAY, March 27, 1912.

(Continuation of legislative day of Monday, March 25, 1912.)

The Senate met, after the expiration of the recess, at 11 o'clock a. m. Wednesday, March 27, 1912.

The VICE PRESIDENT resumed the chair.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the concurrent resolution (No. 14) of the Senate authorizing the Secretary of State to furnish a copy of the daily and bound CONGRESSIONAL RECORD in exchange for a copy of the Parliamentary Hansard, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution (No. 39) amending the concurrent resolution passed August 21, 1911, providing for the printing of the proceedings upon the unveiling of the statue of Baron von Steuben in Washington December 7, 1910, etc., in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution (No. 43) providing for the printing of 100,000 copies of Public Health Bulletin No. 51, on the Cause and Prevention of Typhoid, etc., in which it requested the concurrence of the Senate.

SENATOR FROM WISCONSIN.

The Senate resumed the consideration of the report of the Committee on Privileges and Elections, directed by a resolution of the Senate to investigate certain charges against ISAAC STEPHENSON, a Senator from the State of Wisconsin.

Mr. HEYBURN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cummins	Lorimer	Smith, Ga.
Bankhead	Curtis	McCumber	Smith, Md.
Borah	Dillingham	McLean	Smith, S. C.
Bourne	Fletcher	Martine, N. J.	Smoot
Brandegee	Foster	Myers	Stephenson
Bristow	Gamble	Nixon	Stone
Brown	Gardner	O'Gorman	Sutherland
Bryan	Gronna	Oliver	Thornton
Burnham	Heyburn	Overman	Townsend
Burton	Johnson, Me.	Page	Warren
Chamberlain	Johnston, Ala.	Perkins	Watson
Clapp	Jones	Poindexter*	Wetmore
Clark, Wyo.	Kenyon	Pomerene	Williams
Crane	Kern	Rayner	Works
Culberson	Lea	Richardson	
Cullom	Lodge	Simmons	

Mr. BURNHAM. The senior Senator from New Hampshire [Mr. GALLINGER] is unavoidably absent.

Mr. LEA. The senior Senator from Tennessee [Mr. TAYLOR] is detained from the Senate by serious illness.

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. A quorum of the Senate is present.

Mr. POMERENE. Mr. President, it was an unpleasant duty the Senate imposed upon the subcommittee of the Committee on Privileges and Elections when its members were charged with the responsibility of hearing the testimony pertaining to the election of ISAAC STEPHENSON to the United States Senate and of ascertaining whether or not there were used or employed in that election "corrupt methods or practices."

For five weeks that committee heard the testimony, and for a number of weeks thereafter each member of that committee was engaged in the investigation of the testimony and the law before reaching his conclusion.